



**DECISION
IN THE NAME OF THE RUSSIAN FEDERATION**

September 11, 2009

Rostov-on-Don

Rostov Regional Court composed of:

Presiding judge: Y. V. Shikul

Secretaries: Y. V. Kachura and T. A. Zubkovskoy

having considered in public court the civil case of the claim filed by the Rostov Region Prosecutor to liquidate and declare extremist the Taganrog Local Religious Organization of Jehovah's Witnesses, to ban its activities, to implement a government registration of its liquidation, to declare its literature extremist material and to confiscate the literature, to include its literature in the federal list of extremist materials, to appropriate its belongings as property of the Russian Federation, the concerned parties of the Rostov Region Main Directorate of the Russian Federation Ministry of Justice, Rostov Region Directorate of the Russian Ministry of Taxes and Collections, and the Federal Service for Oversight in the Sphere of Communications and Mass Communication,

Established:

Initially, the Rostov Region Prosecutor filed a claim in the Rostov Region Court to liquidate the Taganrog Local Religious Organization of Jehovah's Witnesses.

Subsequently, on August 11, 2009, he amended the claim and requested that the literature distributed by the Taganrog Local Religious Organization of Jehovah's Witnesses be declared extremist materials.

Then, the Rostov Region Prosecutor filed the claim under the Russian Federation ("RF") Civil Procedural Code ("CPC") article 39, and requested:

to declare extremist the Taganrog Local Religious Organization of Jehovah's Witnesses, located at: g. Taganrog, per. Lermontovsky, 3, kv. 4;

to liquidate the Taganrog Local Religious Organization of Jehovah's Witnesses, located at: g. Taganrog, per. Lermontovsky, 3, kv. 4;

to ban the activity of the Taganrog Local Religious Organization of Jehovah's Witnesses in the city of Taganrog and in the Neklinovsky and Matfeyevo-Kurgansky Districts in the Rostov Region;

to require the Rostov Region Main Directorate of the Russian Federation Ministry of Justice to implement a government registration of the liquidation of the Taganrog Local Religious Organization of Jehovah's Witnesses;

to appropriate the belongings of the Taganrog Local Religious Organization of Jehovah's Witnesses as property of the Russian Federation;

to declare the literature distributed by the Taganrog Local Religious Organization of Jehovah's Witnesses:

1. the book *What Does the Bible Really Teach?* published by the Watchtower Bible and Tract Society of New York, Inc. Brooklyn, New York, U.S.A. 2005,
2. the book *Knowledge that Leads to Everlasting Life* published by the Watchtower Bible and Tract Society of New York, Inc International Bible Students Association Brooklyn, New York, U.S.A. 1995,
3. the book *Revelation – Its Grand Climax at Hand!* published by the Watchtower Bible and Tract Society of New York, Inc. International Bible Students Association, Brooklyn, New York, U.S.A. 2002,
4. the book *Organized to Do God's Will* published by the Watchtower Bible and Tract Society of New York, Inc International Bible Students Association Brooklyn, New York, U.S.A 2005,
5. the book *Worship the Only True God* published by the Watch Tower Bible and Tract Society of Pennsylvania, 2002,
6. the book *Questions Young People Ask – Answers that Work* published by the Watch Tower Bible and Tract Society of Pennsylvania, 1998,
7. the book *Mankind's Search for God* published by the Watch Tower Bible and Tract Society of Pennsylvania, 2006,
8. the book *Draw Close to Jehovah* published by the Watch Tower Bible and Tract Society of Pennsylvania, 2002,
9. the book *Come Be My Follower* published by the Watch Tower Bible and Tract Society of Pennsylvania, 2007,
10. the book *My Book of Bible Stories* published by the Watch Tower Bible and Tract Society of Pennsylvania, 1993,
11. the book *Life: How Did It Get Here? By Evolution or by Creation?* published by the Watch Tower Bible and Tract Society of Pennsylvania, 1992,
12. the book *The Secret of Family Happiness* published by the Watch Tower Bible and Tract Society of Pennsylvania, 1996,
13. the book *Pay Attention to Daniel's Prophecy* published by the Watch Tower Bible and Tract Society of Pennsylvania, 1999.
14. the brochure *Should You Believe in the Trinity? Is Jesus Christ the Almighty God?* published by the Watchtower Bible and Tract Society of New York, Inc 1998,
15. the brochure *You Can Be God's Friend!* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A 2000,
16. the brochure *Jehovah's Witnesses – Who Are They? What Do They Believe?* published by the Watchtower Bible and Tract Society of New York, Inc International Bible Students Association Brooklyn, New York, U. S .A. 2000,
17. the brochure [actually tract] *The End of False Religion is Near!* published by the Watch Tower Bible and Tract Society of Pennsylvania, 2006
18. the brochure *How Can Blood Save Your Life?* published by the Watch Tower Bible and Tract Society of Pennsylvania, 1997,
19. the brochure *Will There Ever Be a World Without War?* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1994,
20. the brochure *The Government That Will Bring Paradise* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1993,
- 21 the brochure *Jehovah's Witnesses and Education* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1995,
- 22 the brochure *Spirits of the Dead* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2001,
- 23 the brochure *What Happens to Us When We Die?* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1998
24. the brochure *“Look! I am Making All Things New”* published by the Watchtower Bible

and Tract Society of New York, Inc Brooklyn, New York, U.S.A

25. the brochure *A Satisfying Life – How to Attain It* published by the Watchtower Bible and Tract society of New York, Inc Brooklyn, New York, U.S.A. 2001,

26. the brochure *A Book for All People* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1997,

27. the brochure *Enjoy Life on Earth Forever!* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1993.

28. the brochure *What is the Purpose of Life – How Can You Find It?* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1993,

29. the brochure *When Someone You Love Dies* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2000,

30. the brochure *The Divine Name That Will Endure Forever* published by the Watchtower Bible and Tract Society New York, Inc Brooklyn, New York, U.S.A. 1994,

31. the brochure *Does God Really Care About Us?* published by the Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2001,

32. the brochure *What Does God Require of Us* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2003,

33. the February 22, 2000 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

34. the December 8, 2000 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

35. the January 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

36. the February 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

37. the March 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

38. the April 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

39. The May 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

40. the June 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

41. the July 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

42. the August 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

43. the September 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

44. the October 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

45. the March 1, 1998 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

46. the October 15, 1998 issue of the *Watchtower Announcing Jehovah's Kingdom*, "Who Really Believes the Bible?" published by Wachtturm Bibel - und Traktat - Gesellschaft Deutscher Zweig, V., Selters/Taunus,

47. the December 1, 1999 issue of the *Watchtower Announcing Jehovah's Kingdom* "Should You Fear the Apocalypse?" published by Wachtturm Bibel - und Traktat - Gesellschaft Deutscher Zweig, V., Selters/Taunus,

48. the December 15, 1999 issue of the *Watchtower Announcing Jehovah's Kingdom* "Why Do They Celebrate Christmas Even in Asia?" published by Wachtturm Bibel - und -Traktat-Gesellschaft Deutscher Zweig, V., Selters/Taunus,

49. the June 1, 2000 issue of the *Watchtower Announcing Jehovah's Kingdom* "What Does It Mean to Be a Christian?" published by Wachtturm Bibel - und Traktat-Gesellschaft,

50. the March 1, 2001 issue of the *Watchtower Announcing Jehovah's Kingdom* "How to Find True Happiness" published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

51. the January 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

52. the January 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

53. the February 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

54. the February 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

55. the March 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

56. the March 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

57. the April 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

58. the May 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

59. the May 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

60. the June 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

61. the July 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

62. the July 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

63. the August 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

64. the August 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

65. the September 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

66. the September 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

67. the September 2007 gazette *Our Kingdom Ministry*

68. the October 2007 gazette *Our Kingdom Ministry*

to be extremist materials.

To oblige the Federal Service for Supervision of Communication and Mass Media to include the indicated literature and informational materials in the federal list of extremist materials.

To confiscate the indicated literature and informational materials.

To substantiate the demands of [his] claim, the prosecutor indicated that in carrying out its activity the Taganrog Local Religious Organization of Jehovah's Witnesses ("LRO") is guilty of inclining persons in a condition dangerous to life and health to refuse the rendering of medical assistance for religious reasons and inciting citizens to refuse to fulfill legally established civil duties and to perform other unlawful activities. The prosecutor also indicated that there is evidence of involving minor children in the activity of the organization in violation of rulings of the Convention on the Rights of the Child, the Russian Federation Constitution and the Russian Federation Family Code, [and that there are] established instances of the breakup of family and kindred relations due to religious disagreements in connection with the activity of the organization of Jehovah's Witnesses. Actions of the LRO contravene current legislation and contain signs of extremist activity, which grossly violates the constitutional rights of an indeterminate group of individuals; specifically, the literature distributed by the LRO contains a negative assessment of other religions, instances of advocating the exclusivity and superiority of the religion of Jehovah's

Witnesses, and contains features of the creation of a negative, hostile attitude toward other religions (first of all toward Christianity), their clergy and followers.

It is indicated in the application that the measures taken by the prosecutor in reaction to the said circumstances (the warning notice dated October 26, 2007, the warning dated October 31, 2007, prosecutor's office, g. Taganrog) were not duly appealed.

Nevertheless, despite the specified notices and warning, the LRO in 2008 again permitted a violation of RF Constitution Article 29.2 and FZ Article 9 on Counteracting Extremist Activity, the activity being continued in the form of distribution of religious literature containing expressions degrading human dignity on the basis of religious orientation and elements of advocating the exclusivity of one religion over another, which testifies to the presence in [the literature] of signs of fomenting interreligious enmity, religious exclusivity, and violation of human rights. The prosecutor points out that in 2008 residents of Taganrog, supporting Russian Orthodox teaching, addressed to the Taganrog prosecutor's office a complaint about actions of the LRO in connection with the distribution by members of the LRO of "slanderous information concerning the Russian Orthodox clergy and about attacks on the very essence of Russian Orthodox beliefs", having regarded these actions as a deliberate insult to their religious feelings and provoking conflict on interreligious ground.

The application of the prosecutor indicates that within the activities of the LRO are established facts, attesting to the presence of bases for liquidation of the organization in trial. Literature distributed by the LRO and informational materials, in the opinion of the prosecutor, constitute extremist material, the distribution of which is forbidden in the territory of the Russian Federation.

Also, the Rostov regional prosecutor alleges in the application that violations of civil legislation are revealed in the activities of the LRO, specifically, of chartered activities.

So, despite [that], according to documents of the organization, the LRO does not have structural subdivisions, at the same time the LRO in fact carries out religious activities in the territories of the Neklinovsky and Matveyevo-Kurgansky districts, which is supported by the materials of the investigation. Eight (8) congregations are conducted by the LRO: West, North, East, Nikolaevskoye, Primorskoye, Vselovskoye [*Possibly a typographical error in Russian. Likely the same as the "Veselovskoye" congregation next mentioned.-trnsl.*], Matveyevo-Kurganskoye, and South, of which the Veselovskoye congregation is conducted at kh. Vesely, ul. Lenina, 3, and Matveyevo-Kurganskoye at p. Matveyevo-Kurgan, ul. Frunze, 37.

The Local Religious Organization of Jehovah's Witnesses is not registered in the Neklinovsky and Matveyevo-Kurgansky districts of the Rostov region, however, it is established by agencies of the prosecutor's office, that you will be presented": [*appears to be a typo. Original likely read "office, that representatives of the"-trnsl.*] LRO regularly carried out their religious activities in the territory of said districts which constitutes a violation of the chartered activities of the organization.

In violation of Article 5.1 FZ on State Registration of Legal Entities and Individual Entrepreneurs and p.4.1, p.3.10 of the LRO Charter decisions regarding expulsion of members and admittance into membership (participants) are not submitted in simple written form; the registering body is not notified of a change in information. In accord with these facts, a notice was submitted to the LRO committee chairman by the Taganrog prosecutor's office regarding the removal of violations of legislation.

In the prosecutor's application it is indicated that the magazines "Awake" and "Watchtower" and the periodical publication "Our Kingdom Ministry", distributed by the LRO, do not contain the complete identifying information of the religious organization, which constitutes a violation of the requirements of Article 8.8 FZ on Freedom of Conscience and Religious Associations, in agreement with conditions whereby a religious organization must indicate its full designation while carrying out its activity, including the distribution of religious literature.

In the trial, representatives of the Rostov regional prosecutor's office G.I. Prishchenko and A.U. Lukina supported the declared demands in corpore.

Representatives of the Taganrog Local Religious Organization of Jehovah's Witnesses—under power of attorneys A. Yu. Chimirov (case papers 72, volume 1) and V. L. Shipilov (case

papers 73, volume 1)—requested that the claim of the Rostov regional prosecutor be dismissed as groundless and uncorroborated during the consideration of the case.

The representative of the Rostov Region Main Directorate of the Russian Federation Ministry of Justice—under power of attorney V. V. Bendin supported the demands declared by the Rostov regional prosecutor.

Representatives of the Rostov Department of the Ministry of Tax Services of Russia and the Federal Service for Oversight in the Sphere of Communication and Mass Media did not appear in court proceedings, were informed, and asked that the case be considered in their absence. The case was considered in the absence of said persons in accord with Article 167 RF GPK.

Having heard the participants in the case, studied the materials of the civil case, reviewed the written proofs regarding the case, and examined experts and witnesses in the court proceedings, the court has come to the following [conclusion].

According to Article 8(1,3) of the Federal law No. 125-FZ dated September 26, 1997 on Freedom of Conscience and Religious Associations, a voluntary association of Russian Federation citizens and other persons, permanently and on a legal basis residing in the territory of the Russian Federation, formed for the purpose of joint practice and dissemination of faith and registered as a legal entity in accord with established law is recognized as a religious organization. A religious organization consisting of no fewer than 10 participants, [who] have reached 18 years of age and permanently reside in one area, either in one city or rural settlement, is recognized as a Local Religious Organization.

The Federal law on Freedom of Conscience and Religious Associations, concretely defines the positions of the RF Constitution and defines the substance of the right to freedom of conscience and freedom of worship.

Freedom of conscience and worship is not absolute. There exist defined boundaries of this freedom, specified [in] Article 9(2) of the Convention for the Protection of Human Rights and Fundamental Freedoms dated November 4, 1950 and Article 18(3) of the International Pact dated December 16, 1966 on Civil and Political Rights and the Russian Federation Constitution.

So, according to Article 9(2) of the Convention for the Protection of Human Rights and Fundamental Freedoms the freedom to profess one's religion or convictions is subject only to those boundaries which are prescribed by law and necessary in a democratic society in the interests of public safety, for the protection of social order, health and morality or for protecting the rights and freedoms of others.

Since worship in the overwhelming majority of instances is connected with the activity of one or another religious association, Article 13(5) of the RF Constitution forbids the creation of associations, the goals or actions of which are directed toward kindling religious discord. According to Article 19(2) of the RF Constitution discrimination on the basis of religious affiliation is prohibited. In agreement with Article 29(2) of the RF Constitution advocacy or agitation which arouses religious hatred and enmity is prohibited. Propogandizing religious superiority is also not allowed.

The right of man and citizen to freedom of conscience and freedom of religious expression can be limited by federal law only to the degree necessary to protect the foundations of constitutional structure, morality, the rights and lawful interests of man and citizen, and to safeguard the country's defences and the security of the state. All the while, the establishment of advantages, limitations or other forms of discrimination based on religious orientation is not permitted (Article 3 of the Federal law on Freedom of Conscience and Religious Associations). This position is repeated in the requirements of RF Constitution Article 55(3).

The Taganrog Local Religious Organization of Jehovah's Witnesses was registered in the Rostov Ministry of Justice on December 15, 1998, registration number 60, legal address: g. Taganrog, per. Lermontovsky, 3, kv.4 (case paper 175 volume 2) and becomes part of the structure of the existing organization—the Administrative Center of Jehovah's Witnesses in Russia, registered by the Russian Federation Ministry of Justice on April 29, 1999, registration number 8, located in p. Solnechnoye g. Saint Petersburg.

Subsequently, on December 31, 2002 a record was entered into the Common State Registry of Legal Entities, registering it before July 1, 2002 (case paper 246, volume 1).

According to p.2.1 of the LRO's Charter, [its] goals and objectives are joint practice and dissemination of faith, satisfying spiritual needs, carrying out joint and personal worship based on the Holy Scriptures (Bible), acquainting people with the Holy Scriptures, Bible teachings, principles and standards, the teaching of religion and religious education. Supporting the activity of the religious confession of Jehovah's Witnesses (case paper 13 volume 1).

By force of RF GK Article 61.2(2) a legal entity can be liquidated by a court decision in the instance of gross violations of law being committed during its creation, if these violations cannot be rectified, or of carrying out activity without proper permission (license), or [an activity] prohibited by law, or violating the Russian Federation Constitution, or with other repeated or gross violations of law or other legal acts, or in the case of the systematic performance by a non-profit organization, including a social or religious organization (association), by charity or other fund of an activity, contradicting its chartered goals, and also in the other instances, stipulated by the present Code.

According to RF GK Article 117.3 the specifics of the legal status of the public and religious organizations as the participants of the relations, regulated by the present Code, shall be defined by law. The Federal law on Freedom of Conscience and Religious Associations constitutes such a law for religious organizations.

The grounds for liquidating a religious association are prescribed also by the Federal law on Counteracting Extremist Activity.

Article 9(1) of the Federal law on Counteracting Extremist Activity establishes that the creation and activity of social and religious associations and other organizations, the goals and actions of which are directed toward carrying out extremist activity, is prohibited in the Russian Federation.

For the purpose of protecting the rights and freedoms of man and citizen, the foundations of constitutional structure, and safeguarding the integrity and security of the Russian Federation, the present Federal law defines legal and organizational bases for counteracting extremist activity and establishing responsibility for carrying out [such activity].

The prosecutor's authority to appeal to the court of the Russian Federation with an application for declaring a religious association extremist and banning its activity in the territory of the Russian Federation is defined in the Federal law dated July 25, 2002, No. 114-FZ on Counteracting Extremist Activity.

The following facts served as a basis for the Rostov regional prosecutor to appeal to the court with the present demands: On October 26, 2007, the Taganrog prosecutor's office sent a notice to the director of the local religious organization, and on October 31, 2007, the Taganrog prosecutor's office sent the local religious organization a warning about the impermissibility of carrying out extremist activity.

In view of the fact that the LRO, in spite of receiving the above referenced notice and warning, during 2008 again committed violations of Article 29(2) of the RF Constitution and of Article 9 Federal law on Counteracting Extremist Activity, the prosecutor believes that there are grounds for declaring the LRO extremist, liquidating it, and banning its activity.

Representatives of the LRO, objecting to the declared claims, pointed out in trial that the notice and warning were issued in violation of current legislation, that the prosecutor did not present proofs that the LRO was distributing literature or that new evidence was uncovered of literature distribution after the warning from the prosecutor, that the prosecutor did not submit a supervisory case regarding these facts, and that the research presented does not confirm the extremist nature of the literature.

Nevertheless, the objections of the representatives of the LRO are groundless and contradict the proofs which were gathered for this case, which were examined in trial, and which confirm the facts indicated by the prosecutor.

According to the information provided by the Rostov regional prosecutor's office, on September 7, 2007, the regional prosecutor's office sent the city and district prosecutors a directive on Conducting Investigations of the Foreign Religious Organization ("ZRO") "Jehovah's Witnesses". This directive contained information about violations of federal legislation during the activity of LROs of Jehovah's Witnesses revealed by various government and supervisory agencies in the Rostov region. Prosecutors of the cities and districts of the region were commissioned to

conduct relevant investigations, within the bounds of oversight of law enforcement by agencies of the prosecutor's office, with established time constraints for completing the directive.

From the Taganrog prosecutor's materials on the investigation of the LRO of Jehovah's Witnesses, which were examined in court, it is seen that in 2007, as assigned by the Rostov regional prosecutor's office, the Taganrog prosecutor's office carried out an investigation of the compliance of the religious organization of Jehovah's Witnesses with federal legislation. In the course of conducting the investigation of the Taganrog Local Religious Organization of Jehovah's Witnesses, literature was ...In the course of the investigation, religious literature was provided by the Taganrog Local Religious Organization of Jehovah's Witnesses to the prosecutor's office, which was then studied by the prosecutor's office.

According to the inquiry by I.B. Lobanov, an expert at the Rostov Center for Judicial Expert Studies, dated September 3, 2007, No. 127, the printed materials presented for analysis contain expressions that denigrate human dignity on the basis of religious orientation, elements of advocacy of the exclusivity of one religion over another, and also expressions inciting hatred, the object of which is, mainly, "Christendom."

During the course of the prosecutor's investigation it was established that some of the literature being analyzed by the expert was also being distributed by the Taganrog Local Religious Organization of Jehovah's Witnesses. Subject to the requirements of Articles 1(1) and 13 of the Federal law on Counteracting Extremist Activity, stipulated for banning the distribution of extremist materials in the territory of the Russian Federation, on October 26, 2007, the acting Taganrog Deputy Prosecutor issued a notice to the chairman of the committee of the Taganrog Local Religious Organization of Jehovah's Witnesses, N.V. Trotsyuk (Taganrog prosecutor's materials on the investigation of the Taganrog LRO of Jehovah's Witnesses).

The notice [was] issued concerning the impermissibility of violating requirements of federal legislation prohibiting the distribution of religious literature denigrating human dignity on the basis of religious orientation and containing elements of the advocacy of the exclusivity of one religion over another. It warned N. V. Troshchyuk that he could be called to criminal accountability for the continuation of the stated illegal actions. It also set forth the process for appealing the notice. That N. V. Troshchyuk is familiar with this notice is evidenced by his signature.

According to Article 6 of the Federal law on Counteracting Extremist Activity article 6, in the presence of sufficient and preliminarily-confirmed accounts of preparation for illegal actions containing signs of extremist activity, and in the absence of foundations for liability for criminal activity, the General Prosecutor of the Russian Federation or his substitute, or a subordinate corresponding prosecutor or his substitute, will send to the director of a social or religious association or to the director of another organization, and also to other corresponding persons, a notice in written form concerning the impermissibility of such activity with an indication of the specific bases for issuing the notice.

A notice can be appealed in court according to legally established procedure.

It [was] established in trial that the notice dated October 26, 2007, was not appealed in court according to legally established procedure.

In agreement with Article 7 of the Federal law on Counteracting Extremist Activity, a social or religious association or other organization, in the event of the discovery of facts attesting to the presence of signs of extremism in their activity, including in the activity of even one of an organization's regional or other structural subdivisions, will receive a written warning on the impermissibility of such activity, indicating the concrete bases for pronouncement of the warning, including the violations committed.

Warning to a social or religious association or to another organization is delivered by the Prosecutor General of the Russian Federation or a corresponding subordinate prosecutor.

A warning can be appealed in court according to legally established procedure.

On October 31, 2007, the Taganrog prosecutor's office, in accordance with Article 7 of the Federal law, delivered a warning to the Taganrog Local Religious Organization of Jehovah's Witnesses concerning the impermissibility of carrying out extremist activities, having been expressed by the distribution by an organization of printed material containing expressions that denigrate human dignity on the basis of religious orientation, and elements of advocacy of the

exclusivity of one religion above another, which attests to the presence in [the literature] of arousing interreligious discord, and the advocacy of exclusivity, superiority or inferiority of a person because of his religious orientation (case papers 54-55 volume 1).

In this warning, the specific grounds for the warning were indicated, including the violations committed.

The warning cites the expert study by the institution “The Rostov Center for Legal Expert Studies” No. 127, on the results of the analysis conducted September 3, 2007. In the course of the investigation, the city prosecutor’s office established facts that the Taganrog Local Religious Organization of Jehovah’s Witnesses distributes printed materials published by the “Watchtower Bible and Tract Society of Pennsylvania”, containing said expressions.

The warning [was] sent via registered postal mail with a notice [of delivery], and served to N.V. Trotsyuk on November 15, 2007.

This warning to the Taganrog Local Religious Organization of Jehovah’s Witnesses was not appealed in court according to legally established procedure.

Having analyzed the evidence, the court arrived at the conclusion that the Taganrog prosecutor’s office acted within the bounds of authority granted to prosecutorial entities by the Federal law on The Russian Federation Prosecutor’s office and the Federal law on Counteracting Extremist Activity in issuing the aforementioned notice and warning.

The arguments of the representatives of the Taganrog Local Religious Organization of Jehovah’s Witnesses that the notice and the warning by the Taganrog prosecutor’s office were delivered almost simultaneously (October 26 and October 31, 2007) and pointed to the same grounds, attesting to their unlawfulness, cannot be taken into consideration, since they are groundless.

Thus, from the content of Articles 6 and 7 of the Federal law on Counteracting Extremist Activity, it is evident that a notice concerning the impermissibility of carrying out extremist activity is delivered to a director of a social or religious association or to a director of another organization, whereas a warning concerning the impermissibility of carrying out extremist activity is delivered to a social or religious association or other organization in the event that evidence comes to light attesting to the presence of signs of extremism in its activity.

A notice concerning the impermissibility of a violation of law is applied only to responsible parties, and also to the director, and to other workers in a commercial or non-profit organization who carry out organizational-managerial and administrative-economic functions. Based on an analysis of the positions of the Federal law on the Russian Federation Prosecutor’s Office and the Federal law on Counteracting Extremist Activity, the court reaches the conclusion that notice to a specific individual can be delivered at the same time as other prosecutorial responses.

The arguments of the representatives of the Taganrog Local Religious Order of Jehovah’s Witnesses regarding the unlawfulness of the investigation conducted by the Taganrog prosecutor’s office in connection with the absence in 2007 of citizens’ complaints regarding the violation of their rights by the actions of the religious organization, i.e. the absence of grounds on the part of the prosecutor’s office for conducting an investigation and the illegal use of the Taganrog prosecutor’s office in delivering in delivering [Typo in the Russian text—“in delivering” is repeated. –trns].] a notice, a warning, and the expert review, dated September 3, 2007, Number 127, are untenable for the following reasons.

According to Article 129(5) of the Russian Federation Constitution, the authority, organization, and arrangement of activity of entities of the Russian Federation Prosecutor’s office are determined by Federal law. The Federal law on The Russian Federation Prosecutor’s Office constitutes such a law, in accordance with which the Russian Federation Prosecutor’s office carries out supervision of current law enforcement in its territory in the name of the Russian Federation.

The Taganrog prosecutor’s office, in carrying out the supervision of law enforcement at the time of the investigation during the stated period (September – October 2007) was governed by Order Number 30, dated May 22, 1996, of the Prosecutor General’s Office of the Russian Federation on The Organization of Prosecutorial Supervision over Law Enforcement and Respecting the Rights and Freedoms of Man and Citizen.

According to point 6 of the given order, city and regional prosecutor's offices are required to inspect/monitor law enforcement on the basis of information received (either applications from citizens or officials or media reports, etc), as well as other materials regarding offenses committed that require the use of prosecutorial power, first of all - for the protection of public and state interests, the rights and guarantees of population groups, and of citizens needing special social or legal protection. Criminal, civil, arbitral, and administrative materials, the results of statistical analysis, prosecutorial and law enforcement practices, and also other materials containing enough evidence of violations of the law serve as cause for a prosecutorial investigation.

Therefore, cause for a prosecutorial investigation may be not only from a citizen, but also other materials containing evidence of an infringement of the law.

The prosecutor's office in Tagonrog, during an investigation of the Local Religious Organization of Jehovah's Witnesses, claimed that literature and printed materials, which were included in the list of materials for prosecutorial investigation, were being distributed. Some of the literature under examination by the expert is also being distributed by the LRO of Jehovah's Witnesses in Tagonrog. This is the book, *What Does the Bible Really Teach?*, the brochure, *What is the Purpose of Life? How can You Find It?*, the brochure, *Will there ever be a World without War?*, and other printed materials. In this regard, the prosecutor's reference in the warning and notification to the certificate of the expert № 127 from 03 September 2007 is valid.

In court it was found that, despite measures taken by the prosecutor's office in regard to the local religious organization of Jehovah's Witnesses in Tagonrog, the organization continued its distribution of literature and printed materials that contain statements which denigrate human dignity on the basis of religious orientation, and elements of advocacy of the exclusivity of one religion above another.

These facts are confirmed by the statement turned in to the city's Prosecutor's office, acting as prosecutor in Tagonrog on 31 January 2008, by Tagonrog residents.

In court, this statement, signed by 102 inhabitants of Tagonrog, along with their place of residence, was reviewed. A copy of this statement is attached to this civil case (case papers 155-159 volume 4).

The statement contains arguments of the illegal activity of the religious organization of Jehovah's Witnesses in Tagonrog in connection with the distribution by members of the aforementioned organization of "slandering information regarding Orthodox Clergy and attacks on Orthodox beliefs." The applicants regard this activity as a conscious insult to their religious beliefs and as the spreading of interreligious conflict. The applicants presented the aforementioned literature as evidence of this.

While this complaint was being investigated, citizens Ivashura, Drezenko, and Ballov were questioned. In their explanations, they made it clear that Jehovah's Witnesses were constantly walking the streets of the town forcing their literature on others, despite the declaration of the citizens that they are Orthodox Christians. Upon taking and looking through the distributed literature, they discovered many slanderous remarks in regards to many religions, including the Orthodox religion, which offended their religious sensitivities.

The facts, presented by the participants in regards to the distribution of literature, including those mentioned in the reference of Expert No. 127 on 3 September 2007 (the book *What Does the Bible Really Teach?*, and the journals "The Watchtower" and "Awake!"), are also supported by the material of the verification (investigation?) carried out by the Office of the Public Prosecutor in the Neklinovsk Region in May-June of 2008 as relayed by the District Police Commissioner (YYM) of the Niklinovck Region from the village of Nocovo Ucaeva C.P. While this was being verified (investigated?), members of the local organization of Jehovah's Witnesses of Tagonrog, B.A. Burlachenko, K. V. Dyakov, D. V. Lyagovich, and I. A. Sheiko were questioned, which confirmed the fact regarding the distribution of the aforementioned literature on 24 May 2008 among the inhabitants of the village of Nocovo of the Neklinovck region, where 16 individuals came to conduction ministry – to explain and acquaint the local inhabitants with their Bibles.

During the process of the investigation, inhabitants of the village of Nocovo, O. A. Cyemyedotzkaya, and G. S. Kuzmenko, were questioned. They explained that on 24 May 2008, people came to their homes as representatives of the religious organization of Jehovah's Witnesses

from Taganrog and presented literature to be studied. In the offered literature, they saw remarks which insulted their faith, bringing into question Christian symbols, which for them, as Orthodox, is unacceptable.

The given materials have been reviewed in court, during judicial session, and the assistants of the Public Prosecutors Office of the Neklyenisk Region are in agreement with the aforementioned declaration made by the named individuals. The trustworthiness and objectivity of the mentioned declarations, and also the materials of the investigation are not under doubt by the court.

By force of the requirements of Article 7 of the Federal Law on Counteracting Extremist Activity, in the event that the warning has not been appealed in court in the established order or has not been declared illegal by a court, or if during the course of 12 months from the day of the pronouncement of the warning, new facts are exposed which testify to the presence of signs of extremism in their activity, the corresponding social, religious or other organization will be subject to liquidation, or the activities of social or religious organizations, not recognized as legal entities, will be banned.

Inasmuch as the warning passed down on 31 October 2007 to the LRO of Jehovah's Witnesses in Taganrog was not appealed in court, was not found to be illegal by the court, but within the period of 12 months from the day of its being handed down new facts came about attesting to the presence of evidence of extremism in the activities of the organization, the public prosecutor of the Rostov Province proclaimed in court the liquidation of the local religious organization of Jehovah's Witnesses in Taganrog.

The LRO did not present convincing arguments that Jehovah's Witnesses of Taganrog do not distribute the type of literature as described in the statement made by the Public Prosecutor.

Thus, witnesses, questioned during a judicial session at the petition of the Public Prosecutor, explained that people on the street approached them and offered them literature, printed material, and then only later did it become apparent that this was the literature of Jehovah's Witnesses.

Jehovah's Witnesses also came to apartments and homes, where they offered literature.

Thus, witness L. S. Ballov testified that he lives and has been schooled in Taganrog since 2002. In the dormitory/hostel they actively carried on a propaganda work on the boardwalk/embankment attempting to offer literature. At about 11 o'clock in the evening, they called at the door, and whereupon seeing a cross, they said that his religion was false.

Witness V. A. Salnikov testified that his wife was a Jehovah's Witness for 10 years and was a Pioneer, the highest possible rank for a woman. She distributed literature, turned in a report, and for 60 hours a month was engaged in preaching and distributing literature.

Witness V. P. Storchak testified that the way in which the literature is distributed causes outrage among the citizens. The witness is aware of the departure of the LRO in the Neklinov and Matveevo-Kurgank region of the Rostov province.

Witness I. V. Akhanov testified that a few times representatives of Jehovah's Witnesses were run off from their House of Prayer. They were distributing literature to the parishioners, who had already determined their faith. There was an instance when they went from house to house in pairs and knocked at doors. When it was learned that representatives of Jehovah's Witnesses had come, they would shut the door. But, they would put their foot in the door not allowing the door to be shut. The witness spoke with Jehovah's Witnesses as he was walking along Petrovskoi Street when two women approached him and asked if he was satisfied with authority (government?) and if he would like authority (government?) to be better.

Witness M. V. Glukhov testified that his wife offers him literature to read and, if he refuses, then she sits down and begins to read aloud so that the witness can hear. Going in twos, they have a card file, if there are lonely people they offer in exchange to clean their apartment or go to the market. His wife has a notebook where there is written the name of a lonely man, his age, and what needs to be done so that he can forget his wife and come into the organization.

Witness S. I. Chalenko testified that representatives of Jehovah's Witnesses go from house to house throughout the city of Taganrog distributing literature, and starting up discussions. The witness is the deputy ataman (Cossack Chief) of the Taganrog district. Cossacks tell him that Jehovah's Witnesses actively agitate the village's population. About three years ago, Jehovah's

Witnesses came to his mother when she was sick. They also came to his home, speaking about false religion and symbols, trying to convince them that the Orthodox religion was not right. They offered literature. They carry on an aggressive propaganda which could lead to social disorder. For the Cossack Don (a man of high rank in the Cossack community - translator) – Orthodox is the core of the world view/outlook. They study the Bible with older women in the village but speak of Orthodox as a false religion, which evokes displeasure. The literature is constructed on the rigid criticism of other beliefs. Improper and aggressive conduct, by word can hold back more than by hand (?). Jehovah's Witnesses try to impose their freedom of conscience of others.

Analogous (similar) evidence regarding the distribution of literature by Jehovah's Witnesses was given by witnesses V. A. Kolecnikov and V. V. Solovyev.

The fact that Jehovah's Witnesses distribute literature and printed materials was not denied by the testimony of witnesses, questioned at the request of representatives of the LRO. The witnesses explained that, according to their understanding of the Bible, it is necessary to preach from house to house and on the streets so as to, in a short period of time, bring "the good news" to millions of people.

Witness S. V. Orlov testified that he never held a door open in his life when affronted (insulted). When the witness goes to work, he speaks with people on the road and they come to his house. People react differently. He receives the literature from the Kingdom Hall on Bakinskoi, and they gather at specified days and times.

Witness A. S. Kolyesnikov testified that he may offer a book on the street, but does not impose. You don't read artistic literature (novels), there is not enough time.

Witness V. A. Burlachyenko testified that if a person does not wish to speak, then they come to his home within a year, perhaps his circumstances have changed. He preaches from house to house, in the park, sharing with others knowledge in the city of Taganrog, Krasnii Decant, attends the congregation in the Vyecyolom village. They hand out invitation slips, and sometimes leave them in their boxes (post boxes-translator), if they promised to do so.

Similar testimony was given by witnesses A. A. Khavinim, V. A. Byerba, V. V. Kocukhinim, founders of the LRO, L. N. Timchenko, and E. R. Yacinovskoi, who testified that Jehovah's Witnesses can go to the same houses which they have already visited, and they go to other inhabited areas. O. N. Adoninoi testified that he preaches in the city of Taganrog, they left the village of Lomakino.

Methods of preaching (lit. ring church bells) are clearly detailed in the book *Organized to Do Jehovah's Will*. It is guidance and instruction as to how Jehovah's organization is to operate, and how to participate in the preaching of the kingdom in our day.

In particular, preaching from house to house is welcomed: "They (Jehovah's Witnesses) have used this method of reaching people with the kingdom message so extensively that it has virtually become their trademark" (pg. 92); "In addition to preaching from house to house, we must search for people elsewhere", "Presenting *The Watchtower and Awake!* is an effective way to witness to people" (pg. 96).

Also in the book *Organized to Do Jehovah's Will* it is specified that "arrangements are made for house-to-house activity on weekends as well as during the week. In areas where it is very difficult to find people at home during the day, some congregations arrange for evening witnessing" (pg. 95).

Representatives of the LRO pointed out that Jehovah's Witnesses who distribute literature are, in fact, not members of the LRO.

So, Jehovah's Witnesses, questioned in a judicial setting as witnesses to the case, testified that they are either publishers, pioneers, or elders of the congregation organized on the territory of Taganrog. Responsible brothers in the congregation order literature, which comes from the Administrative Center of Jehovah's Witnesses in Russia.

However, the testimony of witnesses Khavinikh, O. N. Adoninoi, E. R. Yacinoekoi, L. N. Timchenko, V. A. Burlachyenko and other witnesses who profess to be Jehovah's Witnesses, part of the organization for the receiving and distribution of literature is not consistent with the organizational procedure of Jehovah's Witnesses, as written in their literature, in part, in the book *Organized to Do Jehovah's Will*, and in editions of *Our Kingdom Ministry*. This is regarded by the

court as reluctance of the witness to give truthful testimony. This includes preliminary conversations with representatives of the LRO participating in the current judicial session.

Thus, the fact that literature and printed materials are distributed by the LRO of Jehovah's Witnesses of Taganrog is supported by the following evidence.

In accordance with the prescribed activities, the LRO carries out activities, including the receiving, acquisition, export, import, storing, granting/giving, and distribution of printed religious literature, audio and video materials, and other items of religious function, implementing the coordination of evangelical activity of those professing to be Jehovah's Witnesses. (case paper 13 volume 1).

According to the activity reports of the religious organization for 2006, 2007, and 2008, granted in the УФЧР по РО, in the reporting period the LRO implemented the distribution of beliefs directly or indirectly by means of mass information and other means of activity: satisfying spiritual needs, preparing and conducting sermons, religious meetings, assemblies and other religious arrangements. (case papers 132-137 volume 4).

Also, the LRO implements the distribution of literature by means of organized congregations in the territory of the city of Taganrog, Nekinovsk and Matveyevo-Kurgansk region, of the Rostov province.

The brief description of the structure of the organization of Jehovah's Witnesses, given by expert on religious matters S. N. Astapovim, confirms the facts determined by the court regarding the distribution of literature by the LRO.

Thus, the expert pointed out that the organization of Jehovah's Witnesses is clearly structured and rigidly centralized. The Global Administrative Center of Jehovah's Witnesses is located in Brooklyn (New York). The leaders of the lower divisions are appointed by the leadership of the higher offices. Each Jehovah's Witness must turn in a specified amount of time spent in the missionary work. He is to report the effectiveness of his work to his community. This work consists of distributing printed materials of the organization and related missionary discussions. It is not possible for a Jehovah's Witnesses to participate in government or social organizations or to participate in election campaigns. As pacifists they refuse to serve in the armed forces or law enforcement. The organizational principles of Jehovah's Witness are laid out in the book Organized to do Jehovah's Will (case paper 189, volume 3).

The arguments given by the representatives of the LRO that the congregation is a religious group and does not fall under the make-up of the Local Religious Organization of Jehovah's Witnesses of Taganrog is not convincing. There is no evidence to refute the facts established by the court.

During judicial session it was found that the members of the local religious organization of Jehovah's Witnesses of Taganrog are elders in the congregations situated in the territory of Taganrog, Neklinov and Matveev Kurgan regions of the Rostov province.

Leader of the LRO of Jehovah's Witnesses in Taganrog, N. V. Trotsyuk, testified that members of the organization are members or attendees of religious groups. Members of the organization – members of the group, preach in groups.

These explanations are confirmed by the testimony of witness S. V. Lyagovich, who testified that N. V. Trotsyuk is an elder in the East congregation.

V. V. Kocukhin, questioned as a witness in court, testified that he is an elder, and a founder of the LRO.

K. V. Dyakov, in an explanation received during judicial investigation, as instructed by the District Police Commissioner (YYM) of Usaev on 26 May 2008, explained that he is an elder of the Central congregation of the Local Religious Organization of Jehovah's Witnesses. This was confirmed in court.

As Kingdom Halls are the possession of the LRO, the LRO sets meeting schedules, sets in place plans (timetable?) for discussions, sermons in the congregations, and organizes assemblies.

According to a certificate, signed by the Chairman of the LRO, N. V. Trotsyuk, as Secretary of the congregation, the congregation of Jehovah's Witnesses of Matveyevo-Kurgan is a branch of the Religious Organization of Jehovah's Witnesses in Taganrog (case paper 161 Volume 4). Based on this certificate, the Acting Deputy Chief Executive of the Matveyevo-Kurgan region of the Rostov

province, on 10 October 2007 prepared a response in the name of the prosecutor of the Matveev Kurgan region of the Rostov province (case paper 160 Volume 4).

Specified in the certificate is information which indicates that the leader of the LRO considers the congregation in Matveev Kurgan of the Rostov province as part of the local religious organization of Jehovah's Witnesses in Taganrog.

The organized activities of Jehovah's Witnesses are laid out in the book *Organized to Do Jehovah's Will*. From the information contained in this book, "branch" is to be understood as a territory of a local religious organization, which falls into the framework of the existing centralized religious organization.

In turn, congregations under the jurisdiction of each branch (LRO) make up theocratic circuits. Several circuits make up a district. In each circuit there is an appointed a circuit overseer, who serve the congregations included in that circuit. The responsibilities of these brothers (district and circuit overseers) from time to time are clarified in *Our Kingdom Ministry* and also in letters received from branches (pgs 24-26).

Consequently, literature, printed materials, issued in congregations of Jehovah's Witnesses for further preaching in homes and on streets are distributed by the LRO of Jehovah's Witnesses in Taganrog.

In his statement, the public prosecutor of the Rostov province, points out the extremist nature of the literature distributed by the LRO. In presenting the statement to the court, he cites as reference findings of the institution of the "Rostov Center of Forensic Analysis" of number 127 of 03 September 2007, as well as the expert opinion of the commission of comprehensive psycho-religious-linguistic expertise given on the results of the present case.

Representatives of the LRO say the conclusions of the experts are inadmissible. In part, because, according to the opinion of the representatives of the LRO, the conclusions of the experts do not support the arguments of the public prosecutor, because the arguments of the experts are conjecture, because the investigation was not carried out by a committee as set forth by the court, because the arguments of the specialists contradict each other, and a uniform method for carrying out such investigations do not exist.

Thus, the court appointed a committee for this case to complete a comprehensive examination.

In accordance with Part 1 of Art. 83 of the Civil Procedure (Гражданский Процессуальный Кодекс Российской Федерации - ГПК РФ), an expert commission made up of two or more experts in one field of knowledge is appointed by the court to establish the circumstances.

A comprehensive examination in a certain sense of the word also can be a commission of several specialists of various fields of knowledge or scientific fields participating in the investigation of one objective.

Thus, Art. 23 of the Federal Law of 31 May 2001 N 73-FZ "On state forensic activities in Russia," determined that the examination can be carried out by a commission of experts of various specialties.

According to experts of the Government Agency of the Southern Regional Center Operations Office (ГУ ЮПИЦ СЭ) Ministry of Justice of 15 July 2009. № 5679/12.1-4, 6101/09-2, the examination was conducted by a Commission consisting of: T. N. Kasyanyuk, S. S. Shipshina, S. N. Astapova.

The conclusion of the examination, as with other forms of evidence with the case, is not the exclusive means of evidence and must be evaluated in conjunction with all available evidence in the case (Article 67, part 3 of Article 86 of the Civil Procedure (ГПК РФ)).

The expert's Opinion, like other evidence in the case, is not the only source of evidence and must be evaluated in aggregate with all of the evidence in the case (Article 67 and Article 86 (3) of the RF CPC).

According to Article 67 of the RF CPC, the court evaluates evidence according to its inherent conviction, on the basis of a comprehensive, complete, objective and direct investigation of the evidence of the case.

The court evaluates the relevance, admissibility and authenticity of each piece of evidence separately, as well as the sufficiency and interdependence of the evidence in aggregate.

The experts were warned of their criminal liability under Article 307 of the RF Criminal Code.

Experts T.N. Kasyanyuk, S.S. Shipshin and S.N. Astapov, who signed the Expert Opinion, participated personally in the trial and replied to questions relating to the research conducted and the opinion they gave, and confirmed the conclusions of the Opinion.

No recusals of the experts were duly filed by the parties.

The Expert Opinion meets the requirements of Article 86 of the RF CPC and contains a detailed description of the research conducted, the results reached as a result of it, and replies to the questions posed by the court.

According to Article 86.2 of the RF CPC, if an expert in the process of conducting an expert study establishes circumstances relevant to the investigation and resolution of a case, regarding which no questions were posed to him, he has the right to include conclusions regarding these circumstances in his opinion.

Considering the above circumstances, the LRO’s objections regarding the expert research are not well-grounded.

The court has found the experts’ conclusions to be objective, since they do not contradict other evidence gathered in the case and have not been refuted during the trial by representatives of the LRO.

Signs of Incitement to Religious Discord (Undermining respect and hostility towards other religions)	Refusal of Blood	Refusal of Civic Duties
<p><u>The Book <i>What Does the Bible Really Teach?</i></u> P.64 “Many religious leaders falsely claim that they can help those who have died” and others, pp. 65,156,159 of the book. “you can take a stand for <i>true</i> worship by destroying any items you own that are connected with <i>false</i> worship. By all means, come to view them as Jehovah does—as something ‘detestable.’ (p.155) “A person’s worship could be contaminated by false religion as it relates to popular holidays. Consider Christmas, for example” (p.156). “Because of the connections that Christmas has with false religion, however, those who want to please God do not celebrate it or any other holiday that has its roots in pagan worship.” (p.222) Cf. p.12 of the religious expert’s opinion – “A number of expressions demonstrate the negative attitude of JW’s towards elements of traditional Christianity and a negative image of Catholicism. They characterize priests and theologians of the Christian religions as persons intentionally distorting Bible truth and disseminating that untruth.”</p>	<p>p. 130 of the book – an unconditional requirement. Religious expert’s opinion (p.12) Linguist’s opinion (pp.48-49)</p>	<p>Page 49 of linguist’s opinion – Indirect incitement to refusal to comply with state laws, and as a result, absolute (incitement) [to comply with the]civic duties established by those laws</p>

<p>Cf. pp.28-50 of the linguist’s opinion: “The negative description of Christianity could undermine the reader’s respect for that religion; a bearer of the Russian language might form the impression that negative actions are characteristic of all Christians who are not JW’s (many such)</p> <p>Cf. pp.81-2 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan, and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pages 10,64,220,157, 159 of the book)</p>		
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<p><u><i>The book Knowledge that Leads to Everlasting Life</i></u></p> <p>Cf. p.13, religious expert’s opinion A negative attitude towards certain elements of traditional Christianity p.124 of the book – “true Christians do not venerate icons, crosses, and images.” P.126: “true Christians do not celebrate Christmas or any other holiday based on false religious beliefs”</p> <p>Cf.p.51 of linguist’s opinion Information capable of</p>	<p>p.13 of the religious expert’s opinion Unconditional religious precept “Out of respect for the sanctity of life, godly people do not accept blood transfusions, even if others insist that such a procedure would be lifesaving.” p.129 of the book</p> <p>p.5 of linguist’s opinion an unconditional requirement</p>	<p>Cf. p.13 of religious expert’s opinion An anti-civic position p.124: “true Christians [...] avoid [...] subtle forms of idolatry, such as acts of devotion to flags and the singing of songs that glorify nations.”</p> <p>Cf.p.90 of psychologist’s opinion – all forms of governance, government, or political organizations originate with “Satan the Devil.” Nonparticipation in any</p>
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<p>undermining (the reader’s) respect towards Christian religions (besides JW’s), and their religious figures (pp.105-106 and 111 of the book) Cf.p.82-83 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.49-50, 125 and 76 of the book).</p>		<p>form of patriotic movement, disregard for the flag, anthem, and other state symbols; pacifism (p.124 and 76 of the book)</p>
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<p><i>The book <u>Revelation – Its Grand Climax at Hand!</u></i> Condemnatory and disparaging judgments regarding a particular social group – “Such greedy business magnates and others of their kind must be included with the “military commanders” and “strong men” as belonging to Satan’s wicked seed. They are all part of the earthly organization that God and Christ judge as deserving of execution.—Revelation 19:18.” Sharply negative attitude towards traditional Christianity –pp.35,49,61,63,72,102,133,150, 151,154,205-206,259,276 of the book; expressions and illustrations creating a negative impression of a particular confession – Catholicism (Cf. p.14 of religious expert’s opinion, pp.52-58 of linguist’s opinion). Pp.83-84 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp. 14, 30,51,52,60,102,133, 257, 271,272,73,134,141,30,35, 72 of the book)</p>	<p>Cf.p.14 of religious expert’s opinion – Assessment of blood transfusions, as acts that are both immoral and lawless (p.224 of book) p.58 (of linguist’s opinion) direct appeal</p>	<p>P.15 of religious expert’s opinion Patriotism equated with idolatry (p.92, 191-194) p.58 of linguist’s opinion overt incitement – “directive” in the sense of “ban” Cf.p.90 of psychologist’s opinion pp.13,32,82,112,167, 195,198,248 of book</p>
<p><i>The book <u>Worship the Only True God</u></i> Pp. 84-85 of psychologist’s opinion</p>		<p>P.15 of religious expert’s</p>

<p>Traditional.Christianity... is... “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies.(pp.125,73,95-6)</p>		<p>opinion Expressions reflecting the segregation of JW’s from the rest of society p.12-13, pp.162-166. civic position of JW’s, nonparticipation in politics (including elections and political conflicts p.59 of linguist’s opinion incitement to refusal to comply with state laws – direct incitement in the form of a directive Cf. psychologist’s opinion (p.91 of Opinion) pp.95,96,162,163 of book)</p>
<p><i>The book <u>Mankind’s Search for God</u></i> P.15 of religious expert’s opinion Expressions creating a negative impression of other religions Pp.235-236, p.370 - They will have been found guilty of spiritual fornication because of complicity with their oppressive political paramours and their support of them. False religion has stained its skirts with innocent blood as it has patriotically played along with the elite ruling class of each nation in its wars. Pp.60-62 of linguist’s opinion Pp.84-85 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.12,13,126,148,158-159,174,199,235,296-7,319,265 of book)</p>	<p>P.62 of linguist’s opinion – Indirect incitement in the form of a question and construction with information-bearing significance [<i>grammar corrected by referring to expert study—as quoted in decision does not make sense—trnsl.</i>] (pp.345,346,377 of book)</p>	<p>P.91 of psychologist’s opinion He [Jesus] did not allow the traditions of men to overrule the law of God. (p.259 of book)</p>
<p><i>The book <u>Draw Close to Jehovah</u></i> p.63 of linguist’s opinion Information capable of undermining (the reader’s) respect towards Christian religion (besides JW’s) (pp.311,80 of book) P. 85 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.30,80,208,225 of book)</p>	<p>None</p>	<p>Pacifism as a categorical civic position (p.178 [of book]) Cf. p.91 of psychologist’s opinion) all forms of governance, government, or political organizations originate with “Satan the Devil.” Nonparticipation in any form of patriotic movement disregard for the flag, anthem, and other state symbols; pacifism (pp.59-60,123,227,125,12,8,129,271 of book)</p>

<p><u>The book <i>Come Be My Follower</i></u> Religious expert: (p.16) Expressions demonstrating a negative attitude towards true (<i>sic.</i>) Christianity (p.11 of book) Why do [so many who] claim Jesus as their Lord fail to do his Father's will? [This quotation is edited to make it seem more extreme. The Russian says, "Why do most of those who call their Lord fail to do his Father's will?" The decision leaves out "most of"—<i>trnsl.</i>] Но почему [большинство] тех, кто называет Иисуса своим Господом, не исполняет волю его Отца? Linguist (p.63 of Opinion) Information capable of undermining (the reader's) respect towards Christian religion (besides JW's) – pp.187,105. pp.85-86 of psychologist's opinion Traditional Christianity is "false religion" under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.62,167 of book)</p>	<p>None</p>	<p>p.16 of religious expert's opinion – Pacifism as a categorical civic position (p.178 of book) - When nations go to war, we would sooner face imprisonment or even death than take up weapons against fellow believers—or anyone else (P.64 of Opinion) – the same quotation, indirect incitement Psychologist, (p.92 of Opinion) p.62, 102 of book</p>
<p><u>The book <i>My Book of Bible Stories</i></u> Religious expert, linguist do not mention. P.86 of psychologist's opinion: Traditional Christianity is "false religion" under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. ("Satan the Devil wanted to kill God's Son, and he knew that King Herod of Jerusalem would try to kill him. So Satan is the one who must have made that star shine." –about Christmas) "Who were these enemies? – That's right, the religious leaders." [The following quotations was not found in Watchtower library: "The priests killed Jesus, just as they chose to free Barabbas, and then shouted to Pilate so that they would kill him, and not the people."— <i>trnsl.</i>] "This makes these religious leaders very angry!" [<i>Russian:- The religious leaders cannot contain their rage!</i>][The following quotation also not found in Watchtower Library: "He understands that some of them have been deceived by the religious leaders."</p>	<p>None</p>	<p>None</p>
<p><u>The book <i>Life – How Did it Get Here? By Evolution or by Creation?</i></u> Religious expert, psychologist do not</p>		

<p>mention Information capable of undermining (the reader's) respect towards Christian religions (besides JW's) (pp.184-5, 229)</p>		
<p><u>The book <i>Pay Attention to Daniel's Prophecy</i></u> p.272 negative assessment of the Russian Orthodox Church, based on distortion of an historic fact (p.16 of religious expert's opinion) Linguist (p.65 of Opinion) expressions that a bearer of the Russian language could interpret as attributing negative actions to all representatives of the Christian clergy (pp.265,268,272 of the book)</p>	none	Psychologist (p.92 of Opinion) pp.6,45,274 of book [? Original: 6Д45— <i>trnsl.</i>]
<p><u>The booklet <i>Should You Believe in the Trinity?</i></u> Linguist (p.66 of Opinion) Information capable of undermining (the reader's) respect towards Christian religions (besides JW's), - the teaching about the "trinity" is false and serves the interests of the clergy [misquote: The brochure says only "the Trinity doctrine also serves the interests of clergymen"] P.86 of psychologist's opinion Traditional Christianity is "false religion" under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (p.31 of brochure)</p>	None	None
<p><u>The brochure <i>You Can Be God's Friend</i></u> Religious expert (p.16 of Opinion) Expressions creating a negative attitude toward certain elements of traditional religions. Pp.18-19 of book – "A religion is false if it does not teach the truth from the Bible... Today many people think that they are worshiping God, but they are really serving Satan and his demons!.. Jehovah wants people to talk to him, not to a statue or a picture, which has no life" Linguist's (p.66 of Opinion) Information capable of undermining (the reader's) respect towards Christian religions (besides JW's), Expressions creating a negative attitude toward certain elements of traditional religions (pp.18-19 of brochure) Psychologist's Opinion (p.86) Traditional Christianity is "false religion" under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and disseminating pagan</p>		

ceremonies. (pp.18-19)		
<u>The brochure <i>Who are Jehovah's Witnesses? What Do They Believe?</i></u> Religious expert and psychologist do not mention		Linguist (p.72 of Opinion) Direct incitement in the form of a directive - p.13 of brochure
<u>The brochure <i>"The End of False Religion is Near"</i></u> Religious expert and psychologist – do not mention Linguist (p.72 of Opinion) Information capable of undermining (the reader's) respect towards Christian religions (besides JW's), negative assessment of other religions (p.74 of Opinion) – proselytism – direct appeal – advice: “[N]ow is the time to flee from false religion!” p. 86 of psychologist's opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (“false religion will be chopped down and destroyed! The “world empire of false religion” in the form of a “harlot” “depicts not any one religion, but all religions that produce rotten fruit..” [no close to parentheses]	None	None
<u>The brochure <i>How Can Blood Save Your Life?</i></u>	Religious expert (pp.16-17 of Opinion) categorical ban on transfusion of blood and its components pp.18,20,24,29 of brochure. Linguist (p.73 of Opinion) pp.14,20 of brochure	
<u>The brochure <i>Will There Ever Be a World Without War?</i></u> Religious expert: does not mention Information capable of undermining (the reader's) respect towards Christian religions (besides JW's), (pp.24.25.27) Pp.85-7 of psychologist's opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies.) [p.25 of the magazine [brochure] “For the majority of non-Christians, it is Christendom, whose adherents	None	Psychologist (p.93 of Opinion) “Man's governments have been an utter failure, causing untold suffering” (p.18 of book)

<p>supposedly follow Christ's teachings, that has caused an aversion to the very name of Jesus. [Russian says literally, "The majority of non-Christians feel an aversion to the very name of Jesus because of Christendom, whose adherents supposedly follow Christ's teachings."—<i>trnsl.</i>]. "AIDS for example, is rampant in countries where the majority of the population profess Christianity."]</p>		
<p><u>The Brochure <i>The Government that Will Bring paradise</i></u> Psychologist does not mention Linguist (p.74 of Opinion) Proselytism – direct appeal in the form of a directive “all lovers of God are encouraged to get out of false religion NOW.”(p.27 of brochure)</p>	None	Religious expert (p.17) Thesis: nonintervention of JW's in politics (p.27 of brochure)
<p><u>The brochure <i>Spirits of the Dead</i></u> Religious expert (p.18 of Opinion) A negative attitude towards religions that teach the immortality of the soul is formed conceptually.(p.13)</p>	None	None
<p><u>The brochure <i>Look! I am Making All Things New</i></u> Religious expert does not mention Linguist (p.68 of Opinion) Information capable of undermining (the reader's) respect towards Christian religions (besides JW's), (p.11 of brochure) P.87 of psychologist's opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (p.11: “The fact is that, while the Bible remains always true, the nations of Christendom have become as far removed from Bible Christianity as the North Pole is removed from the South Pole. They are hypocritical in professing [Christianity]”</p>		Psychologist (p.93 of Opinion) “human government has fallen under the authority of Satan: (p.22 of brochure [quotation not found — <i>trnsl.</i>])
<p><u>The brochure <i>A Book for All People</i></u> Religious expert, psychologist do not mention Linguist (p.68 of Opinion) Information capable of undermining (the reader's) respect towards Christian religions (besides JW's), p.5 of brochure (distort the Bible's message, participate in fratricidal wars; clergy grows rich at the expense of parishioners)</p>	None	None
<p><u>The brochure <i>Enjoy Life on Earth Forever</i></u> Religious expert (p.18 of Opinion) facilitates the creation of a negative</p>	None	None

<p>attitude toward Catholicism by the juxtaposition of text with drawing (illustrations Nos.27,58)</p>		
<p><u>The brochure <i>What is the Purpose of Life? How Can You Find it?</i></u> Religious expert (p.18 of Opinion) A number of expressions containing a negative assessment of traditional Christianity p.19 of the brochure. Linguist (p.69 of Opinion) Information capable of undermining (the reader's) respect towards Christian religions (besides JW's), [pp.] 17 and 19 of brochure) P.87 of psychologist's opinion Traditional Christianity is "false religion" under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.L7, 1s, 19 of brochure)</p>		<p>Psychologist (p.93 of Opinion) "world leaders are not putting a stop to crime, nor are they eliminating disease and death. So do not put your trust in any development of human peace and security and think that this world is on its way to solving its problems." (p.28 of brochure)</p>
<p><u>The brochure <i>What Does God Require of Us?</i></u> Psychologist and linguist do not mention</p>	<p>Religious expert (p.19) Categorical ban on blood transfusions for JW's (p.25) "Remember, Jehovah requires that we abstain from blood. This means that we must not take into our bodies in any way at all other people's blood or even our own blood that has been stored." Linguist (p.73 of Opinion) p.25 of brochure</p>	<p>None</p>
<p><i>Awake! magazine of February 22, 2000</i> Religious expert (p.19 of Opinion) Negative attitude towards the Russian Orthodox Church p. 23 one fact historically false, another 0 a quotation from opposer of the Russian Orthodox Church Leo Tolstoy Linguist (P.69 of Opinion) Information capable of undermining (the reader's) respect towards Christian religions (besides JW's); undermining respect for the Russian Orthodox Church (p.23) P.87 of psychologist's opinion Traditional Christianity is "false religion" under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty,</p>	<p>None</p>	<p>none</p>

lying, and popularizing pagan ceremonies. (p.23)		
<i>Awake! magazine of January 2007</i>	None	None
<i>Awake! magazine of February 2007</i> Religious expert (p.19 of Opinion) p.6 of magazine – illustrations insulting other religions, religious objects and symbols of other religions in a shopping cart over the caption, “Religion as a supermarket.” p.88 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.7,8,9 of magazine)	None	None
<i>Awake! magazine of April 2007</i> Religious expert and Linguist do not mention. p. 88 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (p.7 of magazine -“We cannot turn to the world’s churches for moral guidance. Rather than upholding righteous principles as did Jesus and his first-century followers, the churches have made themselves part of this world and its evils”	None	None
<i>The magazine <u>The Watchtower - Announcing Jehovah’s Kingdom</u> dated October 15, 1998</i> “Who really believes the Bible?” [article not found, the Oct. 15, 1998 issue contains an article entitled “ Do All Clergymen Believe What They Teach? ”] Religious expert, psychologist do not mention. Linguist (p.70 of Opinion) Information capable of undermining (the reader’s) respect towards Christian religions (besides JW’s); statement regarding people’s disillusionment with religion in the context of developments taking place in the Anglican Church (p.3 of magazine)	None	None
<i>The magazine <u>The Watchtower - Announcing Jehovah’s Kingdom</u> dated December 15, 1999</i> “Christmas—Why Even in the Orient?” Religious expert: (p.19 of Opinion) P.7 “pagan origin with revelry, heavy drinking, merrymaking, dancing, gift-giving, and the	None	none

<p>decorating of homes with evergreens.” P.9 article begins with the words: “Killers – Catholics and Protestants – ‘these wild men’” The discussion is about discord in Northern Ireland Linguist (p.70 of Opinion) Information capable of undermining (the reader’s) respect towards Christian religions (besides JW’s); Christmas is essentially pagan and distracts people from the true meaning of worshipping God (pp.7,8 of magazine), p.74 of Opinion – expressions of a pejorative nature regarding Christian (except JW’s) religion (p.9 of magazine). Emotional-expressive assessment in the form of a statement. P.88 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (p.8 of magazine)</p>		
<p><u>The magazine <i>The Watchtower - Announcing Jehovah’s Kingdom</i> dated March 1, 2001</u> “How to Find Real Happiness”</p> <p>Religious expert does not mention Linguist (p.70 of Opinion) Information capable of undermining (the reader’s) respect towards Christian religions (besides JW’s), the teachings of modern Christianity are false, the religious leaders of Christendom serve “the gods of this world” instead of true worship of the only God; they violate moral laws and justify these violations (pp.15 and 13-14 of the magazine) P.88-9 of psychologist’s opinion Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.13,14,15 of magazine)</p>	<p>None</p>	<p>None</p>
<p><u>The magazine <i>The Watchtower - Announcing Jehovah’s Kingdom</i> dated January 15, 2007</u></p> <p>Religious expert does not mention P.89 of psychologist’s opinion</p>	<p>None</p>	<p>None</p>

<p>Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies (p.23 of magazine “the priests [next line not legible – possibly “Religious leaders misrepresent God when they say that the tragedies we experience are his will.”—<i>trnsl.</i>]</p>		
<p><u>The magazine <i>The Watchtower - Announcing Jehovah’s Kingdom</i> dated March 1, 2007</u> Religious expert – does not mention Linguist (p.71 of Opinion) - Information capable of undermining (the reader’s) respect towards Christian religions (besides JW’s); negative assessment of Church (p.4 of magazine)</p>	None	None
<p><u>The magazine <i>The Watchtower - Announcing Jehovah’s Kingdom</i> dated March 15, 2007</u> Religious expert does not mention Linguist (p.74 of Opinion) expressions of a pejorative nature regarding Christian (except JW’s) religion; “Catholic Fascist regimes” [Russian: “Catholic Fascist dictatorship] p.24 of magazine, value judgment) <i>Page 89 of psychologist’s opinion</i> Traditional Christianity is “false religion” under the influence of Satan and is governed by him. Clergymen are hypocritical, greedy, harsh, bloodguilty, lying, and popularizing pagan ceremonies. (pp.21,24 of magazine)</p>	None	Psychologist (p.93 of Opinion) “The [Russian adds ‘world’]political system will be completely smashed” (p.4 of magazine [English, p.5]) “Even today, demonic forces under the control of Satan the Devil are behind the scenes, exercising influence on human rulers and on mankind in general, prompting them to commit unspeakable acts...” [p.27]
<p><u>The magazine <i>The Watchtower - Announcing Jehovah’s Kingdom</i> dated April 1, 2007</u> Religious expert, psychologist do not mention Linguist (p.71 of Opinion) Information capable of undermining (the reader’s) respect towards Christian religions (besides JW’s); the churches of Christendom profess false teachings and participate in sanguinary wars (p.22 of magazine)</p>	None	None

The book *Questions Young People Ask – Answers that Work* - The first couple, however, rebelled at God’s rulership. As Solomon later put it, “The true God made mankind upright, but they themselves have sought out many plans.” (Ecclesiastes 7:29) Human plans have proved to be disastrous, leaving the present generation a legacy of misery and the most dismal of future prospects.

Does this mean that God has abandoned the earth to becoming a polluted, radioactive—and perhaps lifeless—globe? Impossible! He is “the Former of the earth and the Maker of it, He the One who firmly

established it, who did not create it simply for nothing, who formed it even to be inhabited.” His stated purpose for the earth is thus sure to be fulfilled!—Isaiah 45:18; 55:10, 11.

But when—and how? Read for yourself Luke chapter 21. There Jesus predicted the very problems that have plagued mankind during this century: international wars, earthquakes, disease, food shortages, widespread crime. What do these events signify? Jesus himself explains: “As these things start to occur, raise yourselves erect and lift your heads up, because your deliverance is getting near. . . . When you see these things occurring, know that the kingdom of God is near.”—Luke 21:10, 11, 28, 31. That Kingdom is the key to your future. Simply stated, it is a government, God’s means of ruling earth. That Kingdom government will forcibly wrest control of earth from human hands. (Daniel 2:44) “Those ruining the earth” will themselves face ruin at God’s hands, saving the earth—and mankind—from the onslaughts of human abuse.—Revelation 11:18; Ecclesiastes 1:4.

Evaluating the research conducted by the experts and taking into account their replies during the trial, the court has reached the conclusion that part of the literature and printed publications distributed by the LRO contain a number of expressions demonstrating the negative attitude of Jehovah’s Witnesses towards various elements of traditional Christianity, a negative image of Catholicism, as a traditional Christian denomination, and containing a sharply negative assessment by one religious group, including accompanying illustrations directed at the Roman Catholic Church and the Russian Orthodox Church, in the form of statements; the literature contains information capable of undermining the reader’s respect for Christian religions (except Jehovah’s Witnesses), and their Christian religious figures, and also contains expressions and content urging [people] to leave other Christian religions (false religions) and to join the religion of Jehovah’s Witnesses; such appeals are expressed in various forms – declarations of intent, directives, pleading, appeals, and advice. To exert psychological influence on the consciousness of the perceiver, manipulative devices are used.

Extremist materials are documents intended for public distribution or information in other media, urging the implementation of extremist activity.

Thus, the books and printed publications named, numbering 34 items of the 68 items studied by the experts, contain information aimed at inciting religious discord (between Jehovah’s Witnesses and Orthodox and Catholics).

The experts’ conclusions corroborate the testimony of witnesses. Thus, witness L.S. Balov testified that the literature evokes negative emotions in him and is intrusive, and outrages him as [a member of the] Orthodox [religion].

Witness V.P. Storchak testified that the literature outrages his religious feelings. The witness cited the book *What Does the Bible Really Teach?*, where it speaks of the sacred objects of Orthodoxy as “disgusting.” [In the *Bible Teach* book, the Russian word “merzost” was used to translate “something detestable”; it has a somewhat cruder meaning than “something detestable” The same word is used in the Synodal translation of the Russian Bible for “disgusting thing” or “abomination” at Luke 16:15.—*trnsl.*] In the book *Revelation*, all are declared to be servants of Satan – the Orthodox Church is “vile”; the entire Christian world is the seed of Satan; caricatures are insulting.

Witness Chalenko, a Jehovah’s Witness, testified that Jehovah’s Witnesses aggressively criticize what is precious to Orthodox people and Cossacks, which causes them resentment. The literature is based on harsh criticism of other faiths. Rude and aggressive conduct can be sustained more by the word as by the hand. Jehovah’s Witnesses try to foist their freedom of conscience off on others.

Witness I.V. Akhanov testified that he had read the *Awake!* and *Watchtower* magazines, where a Christian pastor is a false teacher. All religions claim to be better, but when they are stated publicly and in print, it can incite a negative attitude between denominations.

Witness M.V. Glukhov testified that his wife threw out all their icons, they do not have a single icon in their home.

Witness M.I. Nutskovsky, father superior of the [Church of the] Last Supper in the city of Rostov, testified that he has found literature of Jehovah’s Witnesses that was left in the Church, disparaging Catholics, calling them killers and a false religion. This is disparaging from the viewpoint of their religion; freedom is one thing; permissiveness is another. History can judge the

current conflicts in Ireland and the Crusades. Jehovah's Witnesses have approached him, but when he identified himself, they did not enter into a discussion with him. The witness testified that, "It is not possible to rewrite history, but if they are accusing me today of being like a [man from the] Middle Ages, that offends me. The essence of religion is communion with God, not history. Jesus did not go preaching to Christians."

Witness T.A. Fetisov, the acting abbot of the Holy Trinity parish in the city of Taganrog, testified that parishioners report to him conflicts with Jehovah's Witnesses; this offends them. Calling crosses and icons disgusting can incite religious discord. They have made a science of presenting their religion, of how to approach a woman or an elderly man. Jesus did not preach to Christians. It is a matter of spiritual aggression. The witness testified that they came to him at home and insulted him, speaking about his incompetence, expressing disrespect for him as a clergyman; two elderly women spoke about false religion about a year ago, in summer. They have not visited him since then; they continue to call on his neighbors. The attitude of Jehovah's Witnesses toward the sacred objects of Orthodoxy outrages him. The statement "Your religion is disgusting" is impermissible.

Assessing the testimony of the above-mentioned witnesses, the court has reached the conclusion that the arguments of the regional prosecutor's office that the information contained in the literature and the views of Jehovah's Witnesses outrage religious feelings, provoke conflict on inter-religious soil, and inflame religious discord have been corroborated in the course of the trial.

Consequently, the LRO is carrying out activity in the form of distribution of religious literature containing expressions denigrating human dignity on the basis of religious orientation and elements of promoting the exclusivity of one religion over another, which attests to the presence in [these expressions] of the features of fomenting of inter-religious enmity, religious exclusivity, and violations of human rights.

The Federal Law (FL) on Counteracting Extremist Activity defines extremist activity as including the incitement of social, racial, national or religious discord, the promotion of exclusivity and the superiority or inferiority of a person on the basis of his social racial, national, religious or linguistic affiliation, or his religious orientation; the violation of a person's human and civil rights, freedoms, and legal interests depending on his social, racial, national, religious or linguistic affiliation or religious orientation; mass distribution of materials known to be extremist, and also their preparation or storage for the purpose of mass distribution.

Thus, the regional prosecutor's claim to declare the Taganrog Local Religious Organization of Jehovah's Witnesses extremist, to terminate its activity and ban its activity in the Taganrog, Neklinov and the Matveyevo-Kurgan District of the Rostov Region, and the declaring of the literature distributed by the said organization to be extremist material, are subject to satisfaction.

At the same time, the regional prosecutor's claim to declare the literature to be extremist materials is subject to partial satisfaction, inasmuch as

the book *Organized to Do God's Will* published by Watchtower Bible and Tract Society of New York, Inc International Bible Students Association Brooklyn, New York, U.S.A. 2005,

the book *The Secret of Family Happiness* published by Watch Tower Bible and Tract Society of Pennsylvania, 1996,

the brochure *Jehovah's Witnesses and Education* published by Watchtower Bible and Tract society of New York, Inc Brooklyn, New York, U.S.A. 1995,

the brochure *What Happens to Us When We Die?* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1998

the brochure "Look! I am Making All Things New" published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A

the brochure *A Satisfying Life – How to Obtain It* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2001,

the brochure *When Someone You Love Dies* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2000,

the brochure *The Divine Name that Will Endure Forever* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1994,

the brochure *Does God Really Care About Us?* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2001,

the December 8, 2000 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the March 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the May 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the June 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the July 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the August 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the September 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the October 2007 issue of *Awake!* published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the March 1, 1998 issue of *The Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the December 1, 1999 issue of *The Watchtower Announcing Jehovah's Kingdom* "Should You Fear the Apocalypse?" published by Wachtturm Bibel - und Traktat - Gesellschaft Deutscher Zweig, V., Selters/Taunus,

the June 1, 2000 issue of the *Watchtower Announcing Jehovah's Kingdom* "What Does It Mean to Be a Christian?" published by Wachtturm Bibel - und Traktat-Gesellschaft,

the January 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the February 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the February 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the May 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the May 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel -und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the June 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

the July 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

the July 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the August 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

the August 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the September 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

the September 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

the September 2007 gazette *Our Kingdom Ministry*

the October 2007 gazette *Our Kingdom Ministry*, do not contain the features of extremist materials.

Under Article 14(1) of the Federal Law on Freedom of Conscience and Religious Associations, religious organizations can be liquidated by the decision of the court in the case of

frequent or gross infringement on the norms of the Constitution of the Russian Federation, or infringement on this federal law and other federal laws, or in the case of systematic activities by a religious organization which contradict the goals for which it was created (the goals set forth in its charter).

Under the Federal Law on Freedom of Conscience and Religious Associations article 14, part 2, grounds for liquidating a religious organization or for banning the activities of a religious organization or religious group by judicial order include:

- the undermining of social order and security;
- actions aimed at inciting extremist activities
- forcing a family to disintegrate;
- infringement on the identity, the rights and the freedoms of a citizen;
- the infliction of damage, established in accordance with the law, on the morality or health of citizens, including the use in connection with their religious activities of narcotic or psychotropic drugs, hypnosis, and the performing of depraved or other unlawful actions;
- encouraging suicide or the refusal on religious grounds of medical help to persons in life-threatening or health-endangering situations;
- hindering the receiving of compulsory education;
- forcing members and followers of the religious association or other persons to give up property which belongs to them for the use of the religious association;
- hindering a citizen from leaving a religious association by threatening harm to life, health, or property if there is a danger of this threat's actually being carried out, or by using force or other illegal actions;
- inciting citizens to refuse to fulfill their civic obligations established by law, or to perform other disorderly actions;
- prevention of acquiring obligatory education;
- compulsion of members and adherents of a religious association and other persons to alienate property owned by them for the use of a religious association;
- prevention of a citizen's leaving the religious association under threat of harm to life, health, or property, if there is a danger of its actual fulfillment, or the application of force by other illegal actions;
- encouragement of citizens to refuse to fulfill civic duties required by law and to perform other illegal actions.

According to Article 14.3 of the Federal Law on Freedom of Conscience and Religious Associations agencies of the procuracy of the RF have the right to present in court suggestions about the liquidation of a religious organization or prohibition of the activity of a religious organization or religious group.

The Rostov regional prosecutor shows that the result of the activities of the LRO are the incitement to refuse medical assistance, in the form of a blood transfusion, for religious motives, of Salnikova which resulted in a lethal outcome; the violation of the law on the part of A.N. Gorbatnko, for refusal of fulfilling alternative civil service; drawing minors into the activity of the organization; the destruction of family ties on the grounds of religious convictions in connection with the activities of the LRO.

The judge came to the conclusion that the LRO incites its members to refuse medical assistance for religious motives for persons whose life and health are threatened. In particular, members of the LRO under the influence of the organization refuse transfusion of blood and its components in any most critical and life threatening conditions. According to the conclusion of the expert study Jehovah's Witnesses set limits to the forms of medical assistance that are permissible and prohibit blood transfusions.

This conclusion is corroborated by the experts' examination of the texts of literature, which point out that the organization categorically prohibits its members from the transfusion of blood and its components.

Included in the case materials is the document called "No Blood," distributed by the LRO. The personal identification cards of Luba Trotsuk and V.A. Burlachenko, examined during the court proceedings, certify that, on the basis of their beliefs the stated individual refuses blood transfusion.

This document gives the authorized member of the organization the right to choose the method of treatment instead of the citizen himself, if he is unconscious, which is a direct contradiction of the requirements of the RF Constitution Basis for RF Legislature on Protection of the Health of the Citizen, and is an infringement of the legal rights of the citizen himself. According to Article 2 of the Convention on the Protection of Human Rights and Basic Freedoms dated November 4th 1950, the right of every individual to life is protected by law.

By force of Article 2 of the RF Constitution man, his rights and freedoms are of the supreme value. The recognition, observance and protection of the rights and freedoms of man and citizen shall be the obligation of the State.

According to Article 17 of the RF Constitution the exercise of the rights and freedoms of man and citizen shall not violate the rights and freedoms of other people.

According to the document, “Are You Ready to Face a Faith-Challenging Medical Situation?” of the organization of Jehovah’s Witnesses, (published in the publication “Our Kingdom Ministry,” February 1996 [English, *km* 11/90]), all believers must have the firm stand of “NO BLOOD.” Adult members of the organization are provided with the special document “NO BLOOD,” in which a believer gives a directive of refusal of blood transfusion and agreement to any extra risks and consequences in which his refusal may result. Believers are required have this document on his person at all times. The document indicates that a specific individual, being a Jehovah’s Witness, gives this directive obeying the law written in the Bible to “abstain from blood,” characterizing this as a firm religious stand.

This principle is confessed by the Tanganrog LRO of Jehovah’s Witnesses, and in other literature, for example in the magazine, “How can Blood Save you Life?” (1994, 1997...). The deprivation of the members of the organization of the right to choose the methods of treatment is a direct contradiction of the requirement of the RF Constitution and is an infringement on the rights of the citizen himself.

According to the conclusions of the commissioned comprehensive expert study dated July 15th 2009, expressions containing incitement to refuse medical assistance in the form of a blood transfusion for religious reasons are found in many of the printed materials submitted for examination, inasmuch as the refusal of blood transfusions is an article of faith for Jehovah’s Witnesses. For Jehovah’s Witnesses it is unconditional, which is confirmed by quotations from the Bible (absolutely their authoritative source). A person has the right to choose whether to remain one of Jehovah’s Witness or to accept a blood transfusion (expert theologian S.N. Astapov).

According to the expert linguist T.N. Kasyanok some of the texts of the given literature contain expressions containing incitement to refuse medical assistance in the form of a blood transfusion for religious reasons. These requirements will be understood by a Russian speaker as categorical. In these texts the true Christian Jehovah’s Witness has the opportunity to choose an alternative treatment to blood transfusion.

These expressions are found in particular in the books “What Does the Bible Really Teach?” “Knowledge That Leads to Everlasting Life,” “Revelation – Its Grand Climax at Hand!” the brochure “How Can Blood Save Your Life?” etc.

For example, in the book “Knowledge That Leads to Everlasting Life” it is stated, “Out of respect for the sanctity of life, godly people do not accept blood transfusions, even if others insist that such a procedure would be lifesaving.” (pg. 129) The brochure “How Can Blood Save Your Life?” contains the following statement containing the incitement to refuse medical assistance in the form of a blood transfusion, “Witnesses do not accept transfusions of whole blood, red cells, white cells, platelets, or blood plasma,” “since the Bible puts abstaining from blood on the same moral level as avoiding fornication, to force blood on a Christian would be the equivalent of forcible sex—rape.”

Taking into consideration the results of the expert study and the quoted expressions from the literature distributed by this religious organization, the arguments and objections of the local organization’s representatives, that from the viewpoint of a Jehovah’s Witnesses the choice of the method of treatment and also the refusal of the transfusion of blood and its components – is the free choice of every citizen that he makes independently; it is mentioned in the Bible, but to carry it out

or not – is the right of every believer, are unfounded and contradict the specific requirements established in the literature.

During the court proceedings it was established that on the 17th of March 2004, Tamara Salnikova Vasilyevna was admitted to the municipal health institution Taganrog City Emergency Hospital with the diagnosis of serious trauma to the left lower extremity, traumatic aneurysm of the neurovascular bundle of the lower leg, aneurysm of the popliteal artery, aneurysm of the patellar ligament apparatus, condition of traumatic shock after the amputation of the left lower extremity, hemorrhagic anemia and multiple organ failure. On April 8th 2004 T.V. Salnikova died.

During the court proceedings the history of T.V. Salnikova's medical history was examined. It includes numerous records of Salnikova's refusal to accept the transfusion of blood or blood products on religious grounds, during the entire time of her stay in the hospital; moreover, as is recorded in the medical history, these refusals were categorical.

According to the materials of the dismissed criminal case regarding the motor vehicle accident, based on the medical evidence, T.V. Salnikova needed a transfusion of blood components. According to Articles 32-34 of the RF Fundamentals of Legislation on Health Care the consent of the patient is necessary for a blood transfusion. The patient T.V. Salnikova was conscious; she and her relatives refused blood transfusion on religious grounds.

According to the submitted documents T.V. Salnikova was a founder of the Taganrog LRO of Jehovah's Witnesses.

During the courts proceedings, T.V. Salnikova's husband – V.A. Salnikov, questioned as a witness, explained that his wife "worked away" 10 years in the local religious organization and worked her way up to a "pioneer." Before his wife became a member of this organization she had had a different viewpoint on blood transfusions, she had worked as a nurse.

In the testimony given by V.A. Salnikov, during the Taganrog city prosecutor's inspection on October 31st 2007, V.A. Salnikov explained that after the motor vehicle accident on the 17th of March 2004, in which his wife Tamara Vasilyevna Salnikova sustained injuries, she was admitted to the Emergency Hospital. During her entire stay in the hospital she was in critical condition, and was in intensive care. On the 8th of April 2004 she died. During the course of her treatment the attending doctor numerous times suggested that his wife accept a transfusion of donor blood. Before the operation she was conscious and asked him to tell the doctor that she was one of Jehovah's Witnesses and that she would not be transfused with donor blood. She refused the transfusion of donor blood on religious grounds. Salnikova also had the booklet "No Blood." After her operation she was again conscious and also numerous times refused blood transfusion on the same grounds.

I.N. Medvedov, head of the hospital's department where T.V. Salnikova was admitted after her motor vehicle accident and questioned as a witness during the court proceedings, explained that the entire time that she was in intensive care she was conscious. She was not transfused with blood components; blood component therapy was not carried out on her due to her religious ideas. Blood component therapy was vital for the patient Salnikova, since she had lost a lot of blood. Salnikova personally refused the above mentioned methods of treatment with the motivation that she is one of Jehovah's Witnesses, her husband also refused. Salnikova's fellow believers came to the hospital and explained the reasons for her refusal of the transfusion of blood components, they brought various scientific-medical and religious literature. Without the administering of blood components, or fresh frozen plasma, other medicines had little effect. Salnikova's viewpoint on receiving a transfusion of blood components was often asked with the hope that she would agree to it. Salnikova's husband's position was shaky on this matter and at the end of her treatment he said that we should do a transfusion, just not to tell any of her fellow worshippers. The medicine brought by her fellow worshippers, including Perftoran, were not the blood substitutes that she needed.

Therefore, taking into consideration the results of the expert study dated July 15th 2009, the evidence given by the witnesses, the materials of Salnikova's medical history, the materials of the criminal case on the fact of the road traffic accident, the court comes to the decision that in this case there is direct evidence of the presence of the religious organization's incitement to refuse medical assistance for religious motives for persons whose life and health are threatened, which is one of the grounds for the judicial liquidation of a religious organization and banning of [its] activity.

The law on Freedom of Conscience and Religious Associations stipulates that a religious organization can be liquidated by the decision of a court in the case of repeated or gross violations of the standards of the RF constitution, the present federal law, and other federal laws.

The case of Salnikova testifies to a gross violation by the local religious organization of the norms of the RF Constitution, present Federal Law, as well as norms of international law.

At the court hearing, V.D. Slepushkin was questioned as a witness, and explained that the reasons for the death of T.V. Salnikova were in no way connected with a transfusion or lack of a transfusion of blood. A blood transfusion in the case of Salnikova would not have helped, but would only have contributed to her death. At the same time V.D. Slepushin explained that the doctors treating Salnikova carried out the treatment correctly, and also correctly administered all pharmaceutical preparations. There is a sufficient quantity of blood substitutes in any hospital. V.D. Slepushin also threw light on questions connected with the current use of synthetic blood substitutes. However, the objectivity and grounds for the given testimony give rise to doubt, since Slepushin did not participate in the treatment of Salnikova, he did not observe her in the capacity of doctor after March 17, 2004, he came to these conclusions based on copies of medical documents made, supposedly, from the medical history of Salnikova's illness and supplied to him by the lawyer of the local religious organization of Jehovah's Witnesses. Moreover, the testimony of the said witness does not refute the testimony of I.N. Medvedev, who provided treatment to Salnikova, that blood component therapy was essential to the life of the patient Salnikova, since she had lost much blood, and also that the patient did not have a condition that would result in a fatal outcome.

The films on the existence in medical practice of methods of treatment using alternatives to transfusion of blood components, which were watched during the court hearing by motion of the representatives of the LRO, also cannot serve as evidence refuting the arguments of the application that in the actions of the LRO there is incitement by the religious organization to refusal on religious grounds to the rendering of medical assistance to a person in a life and health threatening condition.

The video material watched by the court refers to methods of retention and conservation of blood, not to making up for lost blood, of the negative consequences connected with the incorrect use of blood, and the manner of dealing with Jehovah's Witness patients during a planned operation.

The indicated arguments of the application are also confirmed in the case materials by the letter of the deputy [director] of the Ministry of Health for the Rostov Region, dated May 28, 2008, the conclusion on the results of the analysis of the materials of the religious organization of Jehovah's Witnesses in regard to blood transfusions, signed by the chief doctor of the Rostov Region Blood Transfusion Center, containing the unequivocal conclusion that the refusal advocated by the religious organization of Jehovah's Witnesses of transfusion of components and preparations derived from blood in the treatment of a number of diseases can lead to the death of the patient.

The witness I.V. Ishchenkova, who participated in the preparation of the material mentioned in the letter, testified that she works at the Blood Transfusion Center since 1984, and confirms the conclusion that when there is a loss of 20%-40% of blood, no method, other than a blood transfusion, can be used; to exclude completely the use of blood components is not possible in a life or death situation, and [blood] is the only way to save that life. The advocated refusal of blood can lead to the death of the patient.

The court considers the arguments of the representative of the LRO, that refusal of one form of assistance cannot be considered as a refusal of all medical assistance, unconvincing, since refusal of a blood transfusion did lead to a fatal outcome and since other methods of treatment turned out to be ineffective. [The court] takes into account that the establishment of the fact that harm caused to the health of even one person is a proven gross violation of law, which would exclude further activity of the LRO.

Under the provisions of Article 4 of the Convention for the Protection of Human Rights and Fundamental Freedoms, no one shall be required to perform forced or compulsory labor. The term "forced or compulsory" does not include any service of a military character or, in case of

conscientious objectors in countries where they are recognized, service exacted instead of compulsory military service.

In accordance with Article 59.3 of the RF Constitution, a citizen of the Russian Federation whose convictions or faith are incompatible with military service, and also in other cases stipulated by federal law, shall have the right to substitute alternative civilian service. Terms connected with the realization by citizens of the Russian Federation of the constitutional right to substitute military service on call-up by alternative civilian service, and conditions and procedure for performing alternative service are determined by the Federal Law on Alternative Civilian Service, dated July 25, 2002, No. 113-FZ.

Inciting citizens to refuse to fulfill civil obligations established by law and to perform other unlawful actions are grounds for liquidation of a religious organization and a ban on the activities of the religious organization or religious group by judicial procedure under the requirements of Article 14.2 of the Federal Law on Freedom of Conscience and Religious Associations.

It is appropriate to draw immediate attention to the definition and meaning of the word “incite”. According to the S.I.Ozhegov and N.Yu. Shvedova Explanatory Dictionary of the Russian Language, “incitement” [*pobuzhdeniye* - *the Russian word also has the sense of the English word “motivation” - transl.*]- desire, purpose to take action, motivate – influence someone to take a certain action.

Influence [*Russian word – sklonit – transl.*] – convince of the necessity of some action, decision; be influenced [*Russian verb- sklonitsya- transl.*]- submit to circumstances; lose will to resist, to fight.

According to the conclusion of the commissioned composite judicial expert study, dated July 15, 2009, appointed and conducted in regards to the present case in accordance with the ruling of the Rostov Regional Court, dated July 11, 2008, in the majority of books presented for examination a mindset is shaped in the reader to refuse to participate in activities of the State, community organizations, as well as – to comply with laws not in conflict with God’s law (according to the interpretation of Jehovah’s Witnesses). It is highly unlikely that a follower of Jehovah’s Witnesses would take an independent decision to get involved in civil efforts (conclusion of the expert psychologist S.S. Shipshin).

The expert linguist also came to an analogous conclusion. In the opinion of the said expert, T.N. Kasyanyuk, the presented literature has expressions containing incitement to refusal on religious grounds to obey governmental laws, and in consequence, [to fulfill] the civil duties established by the said laws.

As an example, the book *Worship the Only True God* states: “However, subjection to political rulers is to be relative, not unlimited. When there is a conflict between Jehovah’s laws and man’s laws, those who serve Jehovah are to obey His laws.” In the opinion of the expert-linguist, the said expression is direct incitement in the form of a directive, that is, obligatory observance under the indicated conditions.

The book *What Does the Bible Really Teach?* also incites to refuse to comply with governmental laws. From the text of the said book it follows that, in the opinion of the expert-linguist, a true Christian – one of Jehovah’s Witnesses, cannot, which means should not, comply with governmental laws if they contradict the principles of his religion (“God’s law”). The said information is an observation, is perceived as factual information conveyed as reality, actuality, and is understood as obligatory.

Thus, witness V.G. Sukach testified that he works in the Taganrog Enlistment Office. He stated that approximately 10 conscripted persons profess the religion of Jehovah’s Witnesses. Refusal to undergo [military] service affects military skills, the military profession; a person not undergoing military service is not in the reserves. The enlistment office keeps a record of those who have served their time in the military and of those conscripted. Gorbatyenko refused a specific assignment to perform alternative civilian service, for which he was brought to criminal responsibility. Witness V.G. Sykach learned of the existence of the LRO from 2 young men who were on their way to serve and attempts were made to influence them not to serve in the spring of 2007. The witness was aware that Gorbatyenko was one of Jehovah’s Witnesses. Young men bring documents stating that they profess the religion of Jehovah’s Witnesses. The witness testified that

the applications to realize the right to perform alternative civilian service are identical in meaning and wording. A young guy who is 18 years old, he's already thinking of taxes.

The court came to the conclusion that it is the result of the work of the Taganrog Local Religious Organization of Jehovah's Witnesses that in the Neklinovskiy District Rostov Region a violation of law was committed by Andrey Nikolayevich Gorbatenko, born 1983.

A.N. Gorbatenko, of conscription age, who, in connection with his religious convictions substituted alternative civilian service for military service, in accordance with Article 2 of the Federal Law on Alternative Civilian Service, was subject to call-up to alternative civilian service in accordance with part 1 of the indicated law. However, A.N. Gorbatenko refused to undergo alternative civilian service, basing this on his religious convictions. In court A.N. Gorbatenko did not plead guilty to committing the crime stipulated in Article 328.2 of the RF Criminal Code, and testified that in 1999 he joined the religious community of Jehovah's Witnesses. He refused alternative civilian service in connection with the principals of the community.

From the protocol of the questioning of the accused A.N. Gorbatenko, dated September 19, 2005, examined during the consideration of the present civil case, it is evident that A.N. Gorbatenko "gained Bible knowledge and in 1999 joined the religious organization of Jehovah's Witnesses which is located in Taganrog, Rostov Region." Gorbatenko based his refusal to undergo alternative civilian service on the fact that the organization to which he was sent to undergo alternative civilian service was connected with the RF Ministry of Defense.

The court evaluated the said argument of the accused and pronounced it untenable, since the Federal Law on Alternative Civilian Service does not provide for the conscripted person having the right to choose a specific place to undergo his service. The government providing the right to alternative civilian service in itself is realization of the rights of the citizen whose religious convictions do not allow him to serve in the army. Determining the specific place to undergo alternative civilian service is the prerogative of the Federal Service for Labor and Employment.

By the ruling of the Neklinovskiy Regional Court for the Rostov Region, dated November 1, 2005, which entered into legal force on January 17, 2006, A.N. Gorbatenko was pronounced guilty of committing the crime stipulated in Article 328.2 of the RF Criminal Code, and punishment in the form of a fine was imposed on him to the amount of 5,000 rubles.

Thus, the summation of evidence at the court hearing confirms the fact that on the part of the Taganrog LRO of Jehovah's Witnesses there are actions inciting citizens to refusal to fulfill civil duties established by law. The said actions are manifested in the distribution among believers of literature containing such appeals, the discussion of the literature at meetings, the influencing of citizens of conscription age not professing the said religion to refuse to perform military service. The last allegation is based on the testimony of the witness V.G. Sykach, questioned by the court as a witness, who works in the Taganrog Enlistment Office and is directly involved with conscripted persons. V.G. Sykach testified that he learned of the existence of conscripted believers in the spring of 2007, during the spring call-up, when conscripted young men approached him and said that other conscripted persons were influencing them to refuse to undergo service in the army.

Questioned during the court hearing, witnesses A.S. Kolyesnikov, V.A. Burlachyenko and A.A. Khavin, who have undergone or are undergoing alternative civilian service in connection with their religious convictions (as Jehovah's Witnesses), did not refute the said portion of the allegation of the regional prosecutor's office.

The LRO, by means of its activity, prohibits its adherents from commemorating State celebrations. These facts are confirmed by the testimony of witnesses.

Thus, witness V.L. Mankov testified that Jehovah's Witnesses commemorate only one celebration – the death of Christ, other celebrations they do not commemorate.

The witness M.V. Glukhov testified that his wife who is one of Jehovah's Witnesses categorically rejects the May 9th holiday, she considers that the death of those persons – it was their decision and one should not have a celebration on that day.

The witness V.A. Burlachyenko, professing the faith of Jehovah's Witnesses, testified that his grandfather is a veteran of the Great Patriotic War. The witness testified that he is striving for peace, and he does not send holiday greetings to his grandfather on May 9, as he considers that all nations are equal, and many people died.

Witness E.R. Yasinovskaya, who professes the religion of Jehovah's Witnesses, testified that she no longer celebrates the holidays of February 23, March 8 and May 9.

O.N. Adonina, one of Jehovah's Witnesses, considers that May 9th is a celebration of the victory of one nation over another, and it is not necessary to celebrate it.

The Rostov Region prosecutor also indicates that in the activities of the Taganrog LRO of Jehovah's Witnesses facts of luring minors into the activities of the organization have been established.

According to Article 5 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, dated November 25, 1981, every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians, the best interests of the child being the guiding principle.

All questions concerning the upbringing and education of children shall be decided by the parents according to their mutual consent, based on the interests of the children and taking into consideration the opinion of the children. Parents or one of the parents, in the event they disagree, has the right to apply to a custody and guardianship agency or to court to resolve these disagreements.

The rights of a child to freedom of conscience and freedom of religion are addressed in the Convention on the Rights of the Child, adopted on November 20, 1989. The said Convention stipulates that States Parties shall respect the right of the child to freedom of thought, conscience and religion. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others. (Article 14) States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. The best interests of the child will be their basic concern (Article 18).

Parents may have different views on religion, and correspondingly have different views on the necessity for their child to receive religious instruction. In such cases, the question should be decided by the agreement of the parents, while taking into account the interests of the child.

Care for children and their upbringing shall be the equal right and duty of the parents – Article 38.2 of the RF Constitution. The equality of rights and duties of parents declared in the RF Constitution is ensured by legislation on the family.

According to Article 17.2 of the RF Constitution, a person's basic rights and freedoms are inalienable and belong to each person from birth. Based on the provisions of Article 17.3 of the RF Constitution and Article 65.1 of the Russian Federation Family Code, realization of constitutional rights, including the right to profess any religion and the rights of the parents, should not violate the rights and freedoms of other persons or go against the interests of the children. The right of the parent who lives separately from the child to participate in the child's upbringing is guaranteed by Article 66 of the RF Family Code, which determines the procedure for exercising their parental rights by such parents.

In accordance with Article 3 of the Federal Law on Freedom of Conscience and Religious Associations, it is prohibited to lure minors into religious associations, as well as to teach religion against their will and without the consent of the parents or guardians. International and Russian law provides for realization of the principal of freedom of conscience and choice of religion for children while taking into account their own opinion and interests. The Convention on the Rights of the Child suggests states act, taking due account of the importance of the traditions and cultural values of each people, for the protection and harmonious development of the child.

States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

Contrary to this guaranteed right, believers of the LRO involve their children in the organization's activities without taking into consideration the opinion, state of health, interests and personality development of their children.

During the consideration of the said case it has been established that in the activities of the Taganrog LRO of Jehovah's Witnesses there are facts of luring minor children into the activity of the organization, in violation of the provisions of the Convention on the Rights of the Child, the Russian Federation Constitution and the Russian Federation Family Code.

Witness V.V. Solvyev testified at the court hearing that his marriage, which was entered into in 1999, broke up in 2006. The reason for the break up of the family was the religious activity of his spouse, who was an active member of the religious organization of Jehovah's Witnesses since 2004. At present she is married to an elder in the organization. From the marriage with Solvyev they have a son of 7 years 8 months, who after the break up of the marriage continued to live with the mother. The former spouse, without consideration for the opinion of the other parent, that is the witness, actively involves the child in her religious activity: she takes the child with her in her "pioneering" activity, to meetings and conventions; there are complaints from the child in connection with this. The witness was forced to apply to court with a demand to define visiting rights, since the former spouse hinders his association with his son, antagonizes his son against him. Because of the religious activity his former spouse has practically ceased to prepare food for the child, clothes him in clothing bought from second hand stores, from which the child has a rash on his body, the child is not well looked after. The witness applied to the agencies of custody and guardianship, however the conclusion given was a positive one since his former spouse and child have good living conditions. However, the conclusion of the agencies of custody and guardianship indicates that the boy is depressed in connection with the actions of the mother.

Questioned during the court hearing as a witness, O.N. Adonina, former spouse of V.V. Solovyev, testified that the reason for the divorce was Solovyev's rejection of her choice in life. The child was 4 years old when they divorced. The witness also testified that together with the child she reads the Bible and publications based on the Bible, with the child she attends meetings with fellow believers, her son likes it there, twice a week the child goes to a meeting which lasts an hour and a half, next week her son will read a portion of the Bible at the meeting, he was the one who wanted to, he likes it at the meeting. Autumn she travels together with her child to the village of Lomakino to preach. Holidays established by the State, as well as birthdays, including that of her son, they do not celebrate, explaining to the child that many celebrations have pagan roots. However they give presents to their son without it being a holiday. They do not celebrate New Year's Day, they do not write a letter to Santa Claus "for nothing", they do not want the child to be disappointed. In the opinion of O.N. Adonina, the child is glad to read that God exists, that in the future people will have a clean environment, life in paradise, they won't be sick, there will be mutual understanding. When preaching she takes the child with her, he is happy to share with others what he has read in the Bible.

Witness E.R. Yasinovskaya testified at the court hearing that when raising her son she used religious literature, her son at 10 years old wanted to get baptized; before she became one of Jehovah's Witnesses she read her son fairytales, then – only religious literature. The witness would go preaching together with her son, her son liked to. Together with her son, like two friends they would go preaching since he was 5 years old. From when he was 6 years old he would go with her preaching and ring the bell. The child did not go to birthday parties of his classmates if they invited him. Now her son is undergoing alternative civilian service.

Witness V.V. Kosukhin testified that in the Bible there is the principle "speak truth" and therefore she doesn't read fairytales to her grandson since they contain untruths. There is a child's Bible in a simplified form, everything is there and what is written is true.

Witness Ye.V. Barkalova, chief specialist of the Taganrog Directorate of the Agency for Custody and Guardianship, testified at the court hearing that the mother Galina Dzyubenko filed an application regarding her daughter in grade 9, who professes the religion of Jehovah's Witnesses, the child is withdrawn, there is prejudice against her because they do not allow her to freely attend school. An investigation was conducted and it was established that the mother insisted that the daughter not attend school on Tuesdays and Fridays, since she goes to Sunday School, but the

school administration did not permit her to not attend school, the mother allowed the girl not to attend school, as a result, because of many absences she lagged behind. In the end the child was helped and the girl finished school.

The testimony of the indicated witnesses questioned in court, by motion of the prosecutor (Solovyev, Barkalova) as well as by motion of the representatives of the LRO (Adonina, Ysinovskaya), objectively confirms the arguments in the application regarding involving minor children in the organization's activity, including in the preaching activity, as small or minor children are obliged together with their parents, regardless of the weather and time of year, to go on the streets and to apartments with the goal of distributing literature, and to be present for long periods of time at discussions at meetings.

In the book *Organized to Do Jehovah's Will*, it states: "When a child is exemplary in his conduct and is moved from the heart to make a personal expression of his faith by speaking to others about the good news, what further help can be given? It would be appropriate for the parent to approach one of the elders on the Congregation Service Committee to discuss whether the child is qualified to become a publisher." (page 82)

The book also indicates that a parent may count up to one hour each week in the report of field service when studying with his or her unbaptized children.

"To keep separate from the world while in school young Witnesses should consider the danger of becoming involved in extracurricular activities. Classmates and teachers may not always understand your decision not to participate. However, pleasing God is what counts. This requires that you exercise your Bible-trained conscience and stand firm in the resolve not to become involved in worldly competition or nationalistic practices, which violate Bible principles." – excerpt from book *Organized to Do Jehovah's Will* (page 141).

The circumstances established during the court hearing testify to the violation by the religious organization and its members of the provisions of the Convention on the Rights of the Child, the Russian Federation Constitution, the Russian Federation Family Code, as they involve very young children in the religious organization without the consent of the other parent, who has equal rights and duties in the upbringing of the children, and do not consider the opinion and interests of the children.

In the actions of the members of the Taganrog LRO of Jehovah's Witnesses there is a direct violation of the provisions of Article 31 of the Convention on the Rights of the Child, which establishes that the States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

The testimony of the witnesses who are members of the organization that they visit the park with their children, take trips to the zoo and spend time with their children in nature, does not testify to the parents' ensuring conditions for the full and comprehensive development of the children, since all these activities are engaged in with the participation of other members of the organization. are taken along with same members of the organization. Not one of the witnesses questioned in court showed that their children actively participate in sports or in any type of sports leagues, are receiving a musical education, or are interested in and attending hobby groups of any kind, all of which are associated with an all-around development of personality, abilities, and interests.

Under article 38 of the Constitution of the Russian Federation "Motherhood and Childhood", the family is under the protection of the government. Legislation on family originates from the necessity to strengthen the family, to build family relationships on the feelings of mutual love and respect, of mutual aid and responsibility before the family of all its members, to disallow anybody's arbitrary encroachment into family's dealings, to provide for unhindered expression of the family's rights, and for legal defense of these rights.

In the legal trial proceedings there were facts established, attesting to the breakdown of family relationships and ties with relatives on the grounds of religious differences in connection with the activity of the organization of Jehovah's Witnesses.

A member of the Taganrog Religious Organization of Jehovah's Witnesses, is obligated by sermons and books distributed to the believers, to distance himself from the family circle, because his loved ones do not possess the correct outlook, from the point of view of a given belief.

According to the conclusion of the commissioned judicial composite expert study dated July 15, 2009, faith in God takes the priority in family relationships, according to the printed materials of the investigation that are studied and distributed by the Taganrog Religious Organization of Jehovah's Witnesses. Non-belief by one of the marriage mates or children is considered to be a basis for marriage instability, suffering in marriage, and also termination of relations with the family member, that does not share the belief, oppresses the believing member of the family, and also breaks the directed rules, for which he is expelled from the congregation.

The reasons for the statement about the breakdown of family relationships and ties with relatives on the grounds of religious differences in connection with the activity of the organization of Jehovah's Witnesses are proven by testimonies given by the questioned persons testifying in the legal trial proceedings: V.P. Storchak, V.L. Mankov, M.V. Gluhov, V.V. Solovyov, and V.A. Kolesnikov.

The witness V.P. Storchak testified that the informational-consulting center which he directs provides legal consultation on all requests. Solovyov and Kolesnikov addressed the center with the question of what they should do, since their families are falling apart.

The witness S.V. Orlov testified that his mother and father also became Jehovah's Witnesses and they do not celebrate wedding anniversaries or New Year's Day.

The witness M.V. Gluhov testified that he has been married since August 4, 2007. His wife is a Jehovah's Witness since the age of 8. When they got married, he forbade her to associate with and meet with Jehovah's Witnesses. They told her that he is not a good match for her. After three weeks of marriage she started to meet with them again and because of this quarrels started. Her meetings were 3 times a week from 8 pm to 10 pm, and then she came home and wrote papers until the morning, because she was a daytime student. The wife was dependent on the witness' financial support and a part of the money went to contributions.

The witness V.A. Kolesnikov clarified that about five years ago he found out that his wife is a member of the organization of Jehovah's Witnesses. Quarrels and intense arguments started. She told the witness that she chooses God, not the family. Instead of doing housework, she spends a lot of time at meetings, assemblies, and on distributing religious literature. Her work location for distributing literature is the village of Primorka. The family of the witness stopped celebrating holidays, including the son's birthday. Before the wife became a believer they had friends, they enjoyed recreation together. The witness clarified "I want to save my family; I will fight for my wife". No other reasons for quarrels besides religion arise in the family.

The objectivity of the testimony of V.A. Verb, questioned in court, who is not a believer, about his splendid relationship with his wife, who is a member of the organization of Jehovah's Witnesses, raises doubt, since his wife was in attendance in the courthouse during the testimony in the trial.

Also the testimony of V.V. Kosuhin, who is a founder of the Taganrog Local Religious Organization of Jehovah's Witnesses, about his strong marriage with his wife who does not share his religious convictions, can not be taken into account or accepted as objective. Doubts concerning the objectivity of V.V. Kosuhin's testimony arise in connection with the fact that, as he clarified himself, he knows the lawyers, who represent the interests of the organization in the trial, met with them a day before the trial, and they told him about the present civil trial. Besides, since Kosuhin is a founder of the given organization, he has an obvious legal interest in the outcome of the given case.

The testimonies of witnesses A.S. Kolesnikov, L.N. Timchenko, Yu.A. Bondarenko about their good relationships with members of their families who are not Jehovah's Witnesses, the court considers unconvincing and to have been given with the purpose of future continuation of the organization's activities, of which they are members. Besides, it is difficult to agree with the testimony of the cited witnesses on the basis of other reasons, in particular, Yu. A. Bondarenko living in one apartment with his wife, daughter, and father-in-law, however since 1995 living in separate rooms from the father-in-law, daughter, and wife; witness L.N. Timchenko living with his mother and her sister in the same housing development but in different houses and telling them that it is wrong to have icons in the house.

The LRO has trespassed to persons and infringed upon rights and freedoms of citizens.

Under article 23 of the Constitution of the Russian Federation, each person has a right to inviolability of private life, personal and family secrets. Private life includes the freedom of solitude, reflection, engaging in contact with other persons or avoiding such contacts, and residential privacy.

With the purpose of dedicating more time to preaching and service, placing the organization's work as the most important, the LRO recommends that the Jehovah's Witnesses choose part time work, the confirmation of which was found in the literature's texts.

Each Jehovah's Witness must keep a report of preaching activity, in which one is supposed to write how many individual copies of publications were given to people who are not baptized Jehovah's Witnesses, the concept of a "return visit" is given, the need to report on the hours spent in preaching activity is indicated (the time spent in service at homes and on the street as well as return visits), which is indicated in the book "Organized to Do Jehovah's Will" (pages 85-86).

Auxiliary, regular, and special pioneers, as well as missionaries are required to dedicate a certain amount of hours to service. The publishers of the congregation also need to give priority to the interests of the Kingdom and make every effort, considering their personal circumstances, to do as much as possible in service (pages 86-87 of the book "Organized to Do Jehovah's Will").

The indicated circumstances are confirmed by the testimony of witness V.A. Salnikov about his wife having to preach a certain amount of time, witness V.L. Mankov who testified that his wife and two daughters who practice the faith of Jehovah's Witnesses do not work anywhere but only preach, and the testimony of witness L.N. Timchenko who testified that she preaches one to two hours each day, when possible, or perhaps every other day.

The LRO determines how the believers' free time is spent, forbids them to celebrate holidays and birthdays, which is also confirmed by the conclusion of experts and witness testimony.

The witness V.A. Salnikov testified that they did not have family holidays. The child's birthday was celebrated and then they stopped when the wife accepted the faith.

The witness A.S. Kolesnikov testified that his father does not wish him a happy birthday and the Bible does not say that birthdays should be celebrated. The Bible describes 2 occasions of birthday celebration and all ended badly.

The witness E.R. Yasinovskaya testified that she has not celebrated her son's birthday since he was 6 or 7. He started being sad and said that he wanted cake, and then the witness started baking a cake right after every time she was paid at work. The Bible condemns birthday celebrations and honoring a person on that day.

While exercising their freedom of worship, publishers, pioneers, elders, and LRO members do not take an interest in the opinion of the persons they come to and whose private life they are interfering with.

Each person has the right to respect of his personal and family life by others, of his residence, and correspondence, which is secured by the article 8 of the "Convention for the Protection of Human Rights and Fundamental Freedoms".

In "*Our Kingdom Ministry*" from February, 2001 it is stated: "if you wish to leave a tract or an informational pamphlet with those who are not home, please be sure to fully insert it inside the door so it will not be visible".

The testimonies of witnesses V.P. Storchak, I.V. Ahanov, and S.I. Chalenko show that despite the people's will, the reading of literature is imposed on them by others at their homes and they come more than once.

The cited testimonies are also not refuted by the testimonies of witnesses S.V. Orlov, V.A. Burlachenko, Timchenko, and E.R. Yasinovskaya (thinks that this is how she performs functions of a mailwoman who brings mail), who testified that they preach at homes without an invitation and if a person is not disposed to converse, they will visit him later, when the circumstances change.

The court did not check the legitimacy of Jehovah's Witness' beliefs, or make a comparison with other confessions. In this instance the LRO's activities were evaluated and its compliance to the active legislation of the Russian Federation with consideration of international rights' standards.

The presented evidence confirms that the Taganrog Local Religious Organization of Jehovah's Witnesses allows in its activity incitement of religious discord, propaganda of preeminence, superiority of one religion at the expense of degradation of others, distribution of extremist materials and their storing with a purpose of mass distribution, and also allowed gross and reoccurring violations of rights and freedoms of citizens, which serves as a basis for declaring it extremist, its liquidation and the banning of this organization's activity in virtue of articles 7 and 9 of the Federal Law On Counteracting Extremist Activity dated July 25, 2002, No.114 and article 14 of the Federal Law of the Russian Federation on Freedom of Conscience and on Religious Associations.

Violations of civil legislation have been identified in the activity of the LRO, charter activity in particular. Even though according to the documents of the Taganrog LRO of Witnesses it does not have structural subdivisions, it is determined that in fact the LRO practices religious activity on the territories of the Neklinovskiy and Matveyevo-Kurganskiy regions, which was determined in the trial proceedings.

Under the Taganrog LRO of Jehovah's Witnesses 8 congregations are organized: Zapadnoye, Severnoye, Vostochnoye, Nikolayevskoye, Primorskoye, Vesolovskoye, Matveyevo-Kurganskoye, and Yuzhnoye, out of which the Vesolovskoye is conducted in h. Vesoliy, ul. Lenina, 3 and the Matveyevo-Kurganskoye is conducted in p. Matveyev-Kurgan, ul.Frunze, 37.

By implication of article 8, section 2 of the Federal Law on Freedom of Conscience and on Religious Associations the domain of activity of a local religious organization is the territory of the corresponding city, village, or other residential area. The domain of activity of the Taganrog Local Religious Organization of Jehovah's Witnesses is the territory of the city of Taganrog. The Taganrog LRO of Jehovah's Witnesses is violating the principle of a domain of their religious activity, which contradicts the charter of the given organization. In the abovementioned population centers, meetings of the Taganrog Organization of Jehovah's Witnesses are conducted, which is one type of their religious activity.

The prosecutor's claim of violation of the Federal Law on State Registration of Legal Entities and Individual Entrepreneurs by not notifying the authority that made decisions concerning its state registration about the change in the membership of founders, are not convincing, because under paragraph 2 of article 13 of the Federal Law on Non-Profit Organizations, the founders of a non-profit organization are legal entities and/or physical persons, who made the decision to found it, statements about the founders of a non-profit organization are provided to the designated authority only upon the state registration of the non-profit organization at its establishment.

The prosecutor's arguments for requiring the full title and requisite details of the Taganrog Local Religious Organization of Jehovah's Witnesses to appear on the distributed printed materials were not substantiated. Under section 3 of article 17 of the Federal Law on Freedom of Conscience and on Religious Associations, literature, printed, audio and video material issued by religious organizations, must be marked with the full official name of the said religious organization. However, as established during the trial proceedings, The Taganrog Local Religious Organization of Jehovah's Witnesses does not issue the literature and printed materials that it distributes.

The literature that was determined to be extremist material by the court is subject to addition to the federal list of extremist materials and confiscation under the article 13 of the federal law "On Counteracting Extremist Activity".

The Ministry of Justice of the Russian Federation, under par. 30.28 of the Decree of the President of the Russian Federation dated October 13, 2004 No.1313 "Questions of the Ministry of Justice of the Russian Federation", maintains and publishes the federal list of extremist materials.

On the basis of regulations of article 11 of the Federal Law on Freedom of Conscience and on Religious Associations dated September 26, 2007 no. 125, decision to state register a religious organization is made by the executive federal agency authorized to state register public associations or its territorial designated authority. Therefore the Rostov Region Main Directorate of the Russian

Federation Ministry of Justice must implement the state registration of the liquidation of the Taganrog Local Religious Organization of Jehovah's Witnesses.

Under section 5 of article 9 of the Federal Law on Counteracting Extremist Activity, property remaining after the fulfillment of the demands of creditors of social, religious, and other organizations, liquidated on the basis of grounds provided by the present Federal Law on Counteracting Extremist Activity, should be turned over to the Russian Federation. A decision to turn over ownership of these belongings to the Russian Federation. The decision to appropriate these belongings as property of the Russian Federation is handed down together with the decision to liquidate the social association, religious association, or other organization.

Federal Law on Freedom of Conscience and Religious Associations article 21, provides an open [not comprehensive or exclusive] list of belongings that a religious organization may hold as property.

Thus, religious organizations can own buildings, plots of land, production facilities, facilities for social, charitable, cultural educational, and other purposes, articles of religious significance, monetary assets, and other property which is essential for their activity including historical and cultural monuments.

According to records from the Common State Registry of Rights for Real Estate and Real Estate Transactions, the Taganrog Local Religious Organization of Jehovah's Witnesses owns: the parcel of land located at the address: Rostov Region, g. Taganrog, ul. Bakinskaya, 52-a (holds the title); the non-residential space – office, letter A, single story, rooms 9 and 10, area 112.3 square meters, located at the address: Rostov Region, g. Taganrog, ul. Bakinskaya, 52-a (holds the title); and the living space – part of a residential building consisting of rooms 1-8, area 49.4 square meters, of which 10.6 square meters are residential, letter A, single story, located at the address: Rostov Region, g. Taganrog, ul. Bakinskaya, 52-a (holds the title).

Since the court has determined that the prosecutor's case to liquidate the LRO [Local Religious Order] is valid, the claim to appropriate the belongings of the LRO as property of the Russian Federation must also be implemented.

Based on RF Civil Procedural Code articles 194-199,

ruled:

To declare extremist the Taganrog Local Religious Organization of Jehovah's Witnesses, located at the address: g. Taganrog, per. Lermontovsky, 3, kv. 4.

To liquidate the Taganrog Local Religious Organization of Jehovah's Witnesses, located at the address: g. Taganrog, per. Lermontovsky, 3, kv. 4.

To ban the activity of the Taganrog Local Religious Organization of Jehovah's Witnesses in the city of Taganrog and in the Neklinovsky and Matfeyevo-Kurgansky Districts of the Rostov Region.

To require the Rostov Region Main Directorate of the Russian Federation Ministry of Justice to enact a government registration of the liquidation of the Taganrog Local Religious Organization of Jehovah's Witnesses.

To appropriate the belongings of the Taganrog Local Religious Organization of Jehovah's Witnesses as property of the Russian Federation.

To declare extremist materials the literature distributed by the Taganrog Local Religious Organization of Jehovah's Witnesses:

1. the book *What Does the Bible Really Teach?* published by Watchtower Bible and Tract Society of New York, Inc. Brooklyn, New York, U.S.A. 2005,

2. the book *Knowledge that Leads to Everlasting Life* published by Watchtower Bible and Tract Society of New York, Inc International Bible Students Association Brooklyn, New York, U.S.A. 1995,

3. the book *Revelation – Its Grand Climax at Hand!* published by Watchtower Bible and

- Tract Society of New York, Inc International Bible Students Association Brooklyn, New York, U.S.A. 2002,
4. the book *Worship the Only True God* published by Watch Tower Bible and Tract Society of Pennsylvania, 2002,
 5. the book *Questions Young People Ask – Answers that Work* published by Watch Tower Bible and Tract Society of Pennsylvania, 1998,
 6. the book *Mankind's Search for God* published by Watch Tower Bible and Tract Society of Pennsylvania, 2006,
 7. the book *Draw Close to Jehovah* published by Watch Tower Bible and Tract Society of Pennsylvania, 2002,
 8. the book *Come Be My Follower* published by Watch Tower Bible and Tract Society of Pennsylvania, 2007,
 9. the book *My Book of Bible Stories* published by Watch Tower Bible and Tract Society of Pennsylvania, 1993,
 10. the book *Life: How Did It Get Here? By Evolution or by Creation?* published by Watch Tower Bible and Tract Society of Pennsylvania, 1992,
 11. the book *Pay Attention to Daniel's Prophecy* published by Watch Tower Bible and Tract Society of Pennsylvania, 1999.
 12. the brochure *Should You Believe in the Trinity? Is Jesus Christ the Almighty God?* published by Watchtower Bible and Tract Society of New York, Inc 1998,
 13. the brochure *You Can Be God's Friend!* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A 2000,
 14. the brochure *Jehovah's Witnesses—Who Are They? What Do They Believe?* published by Watchtower Bible and Tract Society of New York, Inc International Bible Students Association Brooklyn, New York, U.S.A 2000,
 15. the brochure [tract] *The End of False Religion Is Near!* published by Watch Tower Bible and Tract Society of Pennsylvania, 2006
 16. the brochure *How Can Blood Save Your Life?* published by Watch Tower Bible and Tract Society of Pennsylvania, 1997,
 17. the brochure *Will There Ever Be a World Without War?* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1994,
 18. the brochure *The Government That Will Bring Paradise* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1993,
 19. the brochure *Spirits of the Dead* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2001,
 20. the brochure *A Book for All People* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1997,
 21. the brochure *Enjoy Life on Earth Forever!* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1993.
 22. the brochure *What is the Purpose of Life – How Can You Find It?* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 1993,
 23. the brochure *What Does God Require of Us?* published by Watchtower Bible and Tract Society of New York, Inc Brooklyn, New York, U.S.A. 2003,
 24. the February 22, 2000 issue of *Awake!* published by Wachturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,
 25. the January 2007 issue of *Awake!* published by Wachturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,
 26. the February 2007 issue of *Awake!* published by Wachturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,
 27. the April 2007 issue of *Awake!* published by Wachturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,
 28. the October 15, 1998 issue of the *Watchtower Announcing Jehovah's Kingdom*, "Who Really Believes the Bible?" published by Wachturm Bibel - und Traktat - Gesellschaft Deutscher Zweig, V., Selters/Taunus,

29. the December 15, 1999 issue of the *Watchtower Announcing Jehovah's Kingdom* "Why Do They Celebrate Christmas Even in Asia?" published by Wachtturm Bibel - und -Traktat-Gesellschaft Deutscher Zweig, V., Selters/Taunus,

30. the March 1, 2001 issue of the *Watchtower Announcing Jehovah's Kingdom* "How to Find True Happiness" published by Wachtturm Bibel - und Traktat - Gesellschaft der Zeugen Jehovas, Selters/Taunus,

31. the January 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

32. the March 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

33. the March 15, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus,

34. the April 1, 2007 issue of the *Watchtower Announcing Jehovah's Kingdom* published by Wachtturm Bibel - und Traktat-Gesellschaft der Zeugen Jehovas, Selters/Taunus.

To include the indicated literature and informational materials in the federal list of extremist materials.

To confiscate the indicated literature and informational materials.

To reject the rest of the Rostov Region Prosecutor's request regarding literature and informational materials.

This decision may be appealed to the Russian Federation Supreme Court through the Rostov Regional Court within 10 days.

Judge: