

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

CASE OF KLIMOV v. RUSSIA

(Applications nos. 40768/18 and 35582/20 – see appended list)

JUDGMENT

STRASBOURG

15 May 2025

This judgment is final but it may be subject to editorial revision.

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

In the case of Klimov v. Russia,

The European Court of Human Rights (Third Section), sitting as a Committee composed of:

Diana Kovatcheva*, President*,
Úna Ní Raifeartaigh,
Mateja Đurović*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having deliberated in private on 24 April 2025,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in applications against Russia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on the various dates indicated in the appended table.

2. The applicant was represented by Mr Muzny Petr, a lawyer practising in Geneva.

3. The Russian Government ("the Government") were given notice of the applications.

THE FACTS

4. The relevant details of the applications are set out in the appended table.

5. The applicant complained of his criminal prosecution on charges of extremism for pursuing the activities of a liquidated local religious organisation of Jehovah's Witnesses. He also raised other complaints under the provisions of the Convention.

THE LAW

I. JOINDER OF THE APPLICATIONS

6. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

II. JURISDICTION

7. The Court observes that the facts giving rise to the alleged violations of the Convention occurred prior to 16 September 2022, the date on which the Russian Federation ceased to be a party to the Convention. The Court therefore decides that it has jurisdiction to examine the present applications (see *Fedotova and Others v. Russia* [GC], nos. 40792/10 and 2 others, §§ 68-73, 17 January 2023).

III. ALLEGED VIOLATION OF ARTICLE 9 OF THE CONVENTION

8. The applicant complained principally of his criminal prosecution on charges of extremism for pursuing the activities of a liquidated local religious organisation of Jehovah's Witnesses. He relied on Article 9 of the Convention.

9. In the leading case of *Taganrog LRO and Others v. Russia* (nos. 32401/10 and 19 others, §§ 256-73, 7 June 2022), the Court held that, since the authorities had failed to demonstrate that the applicants have been involved in any socially dangerous activities of an extremist nature, the applicants' prosecution and conviction for peacefully practising the religion of Jehovah's Witnesses in community with others had been based on the impermissibly broad formulation and application of the extremism legislation and also did not pursue any legitimate aim or "pressing social need". It concluded that there has therefore been a violation of Article 9 of the Convention on account of the criminal prosecution of the applicants.

10. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of this complaint.

11. This complaint is therefore admissible and discloses a breach of Article 9 of the Convention.

IV. OTHER ALLEGED VIOLATIONS UNDER WELL-ESTABLISHED CASE-LAW

12. The applicant submitted other complaints which also raised issues under the Convention, given the relevant well-established case-law of the Court (see appended table). These complaints are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, nor are they inadmissible on any other ground. Accordingly, they must be declared admissible. Having examined all the material before it, the Court concludes that they also disclose violations of the Convention in the light of its findings in *Taganrog LRO and Others* (cited above, § 273) and *Idalov v. Russia* [GC], no. 5826/03, §§ 139-49, 22 May 2012.

V. REMAINING COMPLAINTS

13. The applicant further raised other complaints under various Articles of the Convention.

14. The Court has examined these complaints and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention and must therefore be rejected in accordance with Article 35 § 4 of the

Convention, or do not require separate examination in view of the Court's findings in paragraphs 9-12 above.

VI. APPLICATION OF ARTICLE 41 OF THE CONVENTION

15. Regard being had to the documents in its possession and to its case-law (see, in particular, *Taganrog LRO and Others,* cited above), the Court considers it reasonable to award the sums indicated in the appended table and dismisses the remainder of the applicant's claims for just satisfaction.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;

2. *Holds* that it has jurisdiction to deal with these applications as they relate to the facts that took place before 16 September 2022;

3. *Declares* the complaints concerning the criminal prosecution of the applicant on charges of extremism for pursuing the activities of a liquidated local religious organisation of Jehovah's Witnesses and the other complaints under the well-established case-law of the Court, as set out in the appended table, admissible, and *decides* that the remaining complaints are inadmissible or that it is not necessary to examine them separately;

4. *Holds* that these complaints disclose a breach of Article 9 of the Convention on account of the applicant's criminal prosecution on charges of extremism for pursuing the activities of a liquidated local religious organisation of Jehovah's Witnesses;

5. *Holds* that there has been a violation of the Convention as regards the other complaints raised under the well-established case-law of the Court (see appended table);

6. *Holds*
   (a) that the respondent State is to pay the applicant, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
   (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

7. *Dismisses* the remainder of the applicant's claims for just satisfaction.

Done in English, and notified in writing on 15 May 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President

APPENDIX

List of applications raising complaints under Article 9 of the Convention
(prohibition of the religious organisation of Jehovah's Witnesses for extremism, and criminal prosecution of its followers)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Substance of the complaint	Final domestic decision Court name Date	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros)[1]	Amount awarded for costs and expenses per application (in euros)[2]
40768/18 21/08/2018 and 35582/20 11/08/2020	**Sergey Gennadyevich KLIMOV** 1970	Muzny Petr Geneva	Arbitrary criminal prosecution on charges of extremism for pursuing the activities of a liquidated LRO of Jehovah's Witnesses in Tomsk despite the decision of the Russian Federation Supreme Court declaring it an extremist organisation and holding religious services of Jehovah's Witnesses	Tomsk Regional Court, 20/02/2020 (conviction)	Art. 5 (1) - Unlawful detention - detention order by the Oktyabrskiy District Court of Tomsk of 05/06/2018, no reference to any evidence proving the existence of a reasonable suspicion of the applicant's having committed a crime; appeal rejected by the Tomsk Regional Court on 21/06/2018, Art. 5 (3) - Lack of relevant and sufficient reasons for detention - detention on remand extended by the Oktyabrskiy District Court of Tomsk on 30/07/2018, 27/08/2018, 29/10/2018, 26/12/2018, 26/02/2019, 26/04/2019, 27/05/2019 and 10/06/2019; appeals unsuccessful; no indication of specific evidence demonstrating the need for continued detention	15,000	250

[1] Plus any tax that may be chargeable to the applicant.
[2] Plus any tax that may be chargeable to the applicant.