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UZBEKISTAN: More Muslims jailed, what chance of appeals by Muslim and Christian prisoners of conscience?

By Mushfig Bayram, Forum 18

In a mass trial, Bukhara Regional Court handed down sentences on 25 June of between eight and six years on a group of nine men, sources who asked not to be identified told Forum 18 News Service. The nine were readers of the works of Muslim theologian Said Nursi or acquaintances of them. A trial in the same court of a further ten men – arrested at the same time in early 2010 – began on 22 June and is still continuing. Court officials refused to discuss the cases with Forum 18. Meanwhile, 27-year-old Tohar Haydarov – sentenced to ten years' imprisonment on drugs charges which his fellow-Baptists insist were fabricated – is planning to appeal to Uzbekistan's Supreme Court. "He is hoping that justice will happen and he will be released," fellow Baptists told Forum 18. They said his health in labour camp near Karshi is "normal". Jailed Muslim journalist Hairulla Hamidov told his mother during a meeting in a Tashkent prison in June there was no hope for an appeal to be successful and that he had therefore decided against it.

Nine readers of the works of the Muslim theologian Said Nursi and some of their neighbours and acquaintances were sentenced to long prison terms in central Uzbekistan on 25 June, Forum 18 News Service has learned. The trial of the nine began in Bukhara [Bukhoro] Regional Court on 14 June under a variety of Criminal Code charges related to "religious extremism". Two men received prison terms of eight years each, two men received seven-year prison terms and the other five men were each sentenced to six years' imprisonment. All nine are thought to have lodged appeals against their sentences.

Judge Bobyr Umarov found all nine guilty of violating Criminal Code Article 244-1, Part 3, Point A, which punishes "preparation or distribution of materials containing a threat to social security and social order" by a group or with foreign support. All nine were also found guilty of violating Criminal Code Article 244-2, Part 1, which punishes "creation, leadership or participation in religious extremist, separatist or fundamentalist or other banned organisations".

Nutfullo Aminov, who is 32, and 31-year-old Ilkhom Rajabov each received eight-year prison terms. Sentenced to seven years' imprisonment each were 39-year-old Rashid Sharipov and 27-year-old Tukhtakul Shodiyev. Sentenced to six years' imprisonment each were 20-year-old Iskandar Ubaydov, 32-year-old Kamol Odilov, 32-year-old Anvar Zaripov, 35-year-old Umidjon Jumayev and 33-year-old Mukhtar Hotamov.

The nine were among a large group arrested in early 2010, who are either Nursi readers or people who knew them. One source who asked not to be identified for fear of state reprisals told Forum 18 that "some were simply neighbours or acquaintances."

Zaripov had been deported from Russia in October 2004 for preaching his faith in Irkutsk, the Russian FSB security service told the local media that month. It said he had earlier been punished in Uzbekistan on similar grounds. It also claimed he had been living in Russia without official registration and with a forged migration card.

Uzbekistan frequently sentences followers of the approach to Islam of Said Nursi to long prison terms (see eg. F18News 4 June 2010 http://www.forum18.org/Archive.php?article_id=1455).

Two trials

About half of those initially arrested were soon freed, but criminal cases were launched against 19 of them and they were held in investigation prison. The 19 were then divided into two groups ahead of mass trials.

The second trial for the remaining 10 began at Bukhara Regional Court on 22 June and is still continuing, sources told Forum 18. The ten men are facing similar charges related to "religious extremism".

Judge Abdulaziz Yuldashev, Chair of Bukhara Regional Court, told Forum 18 on 7 July that reading Nursi literature is illegal, but refused to give any details of the two cases. "I am not authorised to tell you anything over the phone," he said. "Write us an official letter, and we will answer you." When asked about the second ongoing trial, he said he did not know when the trial would end.

Court Chancellery officials were also unwilling to discuss the cases. A chancellery official who would not give his name referred Forum 18 on 7 July to the office where verdicts are initially registered. Another official (who also did not give her name) from this office asked Forum 18 to call back in ten minutes. Called back later, she said that she could not give any information.

Appeal being prepared for Baptist prisoner of conscience

An appeal to the Supreme Court is being prepared against the 10-year jail sentence imposed on 27-year-old Council of Churches Baptist Tohar Haydarov, fellow church members in Tashkent told Forum 18 on 7 July. Haydarov, who lives in Guliston in Syrdarya Region, was sentenced in March on drugs charges which Baptists vehemently insist are fabricated. An initial appeal against the sentence was rejected in April, despite numerous violations of legal procedure in the original trial (see F18News 26 April 2010 http://www.forum18.org/Archive.php?article_id=1436).

After his trial, Haydarov was transferred some 400 kms (250 miles) from his home town to a labour camp near Karshi [Qarshi], where fellow Baptists have been able to visit him twice. Each time they were given 40 minutes to talk over the phone through a glass wall, one church member told Forum 18. "Around twenty such phone conversations were going on at the same time, and they had to shout to hear each other," he said.

Baptists who have seen Haydarov in jail report that his health is "normal", and state that "he is hoping that justice will happen and he will be released."

Appeal for letters in support

"We ask all the Christians, and others who are not indifferent to the destiny of Tohar to pray and ask the Uzbekistan authorities to acquit and release him," the Baptists told Forum 18. They said that letters can be sent to Haydarov at: UYa 64/49, otryad 13, pos. Shaikh-Ali, g. Karshi, Kashkadarya Region, 180020 Uzbekistan.

No hope for successful appeal from jailed Muslim journalist?

The mother of jailed Muslim journalist Hairulla Hamidov states that he will not appeal his conviction, Radio Free Europe/Radio Liberty reported on 30 June. Muqaddas Hamidova said he told her during a meeting in prison in Tashkent earlier in June there was no hope for an appeal to be successful and that he had therefore decided against it.

Human rights defender Surat Ikramov says he thinks Hamidov and his family have been "talked into not complaining." "Those convicted are often told not to lodge complaints and in exchange they will be included in an amnesty," he told Forum 18 from Tashkent on 7 July. "But I don't believe in this – prisoners are often deceived."

Ikramov stated that, in the likely event that Hamidov is not part of next September's prisoner amnesty, Hamidov could make an appeal to a court of cassation.

Hamidov was one of a group of 19 Muslims given prison sentences of up to six years and fines in June (see F18News 4 June 2010 http://www.forum18.org/Archive.php?article_id=1455). Ikramov says none of the group has appealed against the sentences. He added that so far they have been held in Tashkent's investigation prison, but are likely to be sent soon to individual labour camps. He said it is the general practice to split up those convicted in groups and to send them to different camps.

In a separate trial 10 other prisoners of conscience, who read works by Nursi, were jailed for between eight years and five years and two months. Lawyers defending three Protestant former prisoners of conscience have been threatened by the authorities that "they could be stripped of their licenses if they continue to defend these cases." Two other Protestant former prisoners of conscience were threatened by police, and had to leave their homes (see F18News 4 June 2010 http://www.forum18.org/Archive.php?article_id=1455). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all as the best antidote to Islamic religious extremism in Uzbekistan, see http://www.forum18.org/Archive.php?article_id=338.

For more background, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1170.

Full reports on freedom of thought, conscience and belief in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Uzbekistan is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY