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RUSSIA: Will Russia extradite reader of Muslim theologian to Uzbekistan?

By Felix Corley, Forum 18 (<https://www.forum18.org/>)

Bobirjon Tukhtamurodov, an Uzbek reader of the works of Muslim theologian Said Nursi, has been arrested in Russia after a request from Uzbekistan, Forum 18 News Service has learned. He fled Uzbekistan after being warned his arrest was likely, after his brother, another reader of Nursi's works, was given a six year jail sentence. A prosecution official told Forum 18 that the extradition decision will be taken by the General Prosecutor's Office in Moscow. Yelena Ryabinina of the Moscow-based Human Rights Institute told Forum 18 that "people are being sought and prosecuted not because of any extremist actions, but because of what they read. The Uzbek authorities regard any religious or political dissidence or independent activity as a threat that must be crushed", she told Forum 18. "There is an international ban on extraditing individuals to countries where torture is practised – and Russia should abide by this. We are ready to take this case as far as the European Court of Human Rights in Strasbourg if we have to," she added.

Human rights defenders fear that if Uzbek migrant Bobirjon Tukhtamurodov – arrested on 18 August in the Russian city of Novosibirsk after an Uzbek request – is extradited to his native Uzbekistan he will face certain imprisonment and possible torture. The Uzbek authorities allege that he is a religious extremist as part of a group allegedly spreading the teachings of the late Turkish Muslim theologian Said Nursi. Although Tukhtamurodov is being held in Novosibirsk, the decision on extradition will be taken by Russia's General Prosecutor's Office in Moscow, an official of the Regional Prosecutor's Office confirmed to Forum 18 News Service from Novosibirsk.

The 35-year-old Tukhtamurodov, who is from the Uzbek city of Bukhara [Bukhoro] and married with three children, had fled to Russia in February 2010 after being warned that his arrest was likely, his supporters told Forum 18.

Uzbek and Russian campaigns

Tukhtamurodov's younger brother Botir was given a six-year prison term by Uzbekistan at the end of a large trial of Nursi readers in Bukhara in April 2009. Their appeals were rejected in June 2009 (see F18News 4 June 2009 http://www.forum18.org/Archive.php?article_id=1306). Muslim readers of Nursi's works are regularly given long prison sentences in Uzbekistan, and Protestant Christians and Jehovah's Witnesses are regularly given very short jail terms (see eg. F18News 18 August 2010 http://www.forum18.org/Archive.php?article_id=1479).

In Russia, Jehovah's Witnesses and Muslim readers of Nursi's works are the target of a nationwide campaign by the authorities (see eg. 7 September 2010 http://www.forum18.org/Archive.php?article_id=1485). Ilham Islamli became in August the first Russian Nursi reader to be convicted under the Criminal Code and punished under extremism-related charges, when he was sentenced to ten months' detention suspended for one year. Another Nursi reader in Dagestan, Ziyavdin Dapayev, faces a continuing criminal investigation (see F18News 26 August 2010 http://www.forum18.org/Archive.php?article_id=1480).

Uzbek policeman in Moscow states accusations

Abdulla Kazakov of Bukhara regional police in Uzbekistan, who worked on the case, told Forum 18 that Tukhtamurodov is guilty of extremism and the Uzbek authorities are expecting his extradition.

"Our Bukhara regional National Security Service [NSS secret police] investigated the case," he told Forum 18 on 20 September from Moscow, where he said he was working on another case. "We arrested Tukhtamurodov in Novosibirsk, as he didn't appear when he was summoned to court in Bukhara in April. Our work is now finished." He denied that he had been present at Tukhtamurodov's arrest.

Kazakov said Tukhtamurodov is accused of violating two Articles of the Uzbek Criminal Code: Article 244-1, Part 3 ("preparation or distribution of materials threatening public security and public order"), which carries a maximum penalty of three years' imprisonment, and 244-2, Part 1 ("creation, leadership or participation in religious extremist, separatist or fundamentalist or other

banned organisations"), which is punishable by five to fifteen years' imprisonment.

First Nusi reader to be extradited from Russia?

Kazakov added that the investigation of his case was led by investigator Abdurahim Kilichev of Bukhara regional NSS secret police. However, officials there told Forum 18 on 20 September that Kilichev was away on a work trip and no-one else was available to discuss Tukhtamurodov's case.

Lidiya Ozdoeva of Novosibirsk Regional Prosecutor's Office confirmed to Forum 18 the Uzbek charges against Tukhtamurodov. She said the Uzbek authorities claim he is a member of the Nurcilar movement following the teachings of the late Turkish Muslim theologian Said Nursi.

Readers of Nursi's works in both Russia and Uzbekistan insist that no such organised movement exists.

Although the Russian authorities have frequently extradited to Uzbekistan suspects the Uzbek authorities regard as extremists, Forum 18 believes this is the first time this has been used against a reader of Nursi's works.

Call to reject extradition request

Yelena Ryabinina, Head of the Right to Asylum Programme of the Moscow-based Human Rights Institute, called for the Russian authorities to reject the extradition request. "This and similar cases from Uzbekistan are ideological persecution," she told Forum 18 from Moscow on 21 September. "People are being sought and prosecuted not because of any extremist actions, but because of what they read. The Uzbek authorities regard any religious or political dissidence or independent activity as a threat that must be crushed."

Ryabinina points to the Shanghai Co-operation Organisation (SCO), of which both Uzbekistan and Russia are members. "SCO members have agreed a joint approach to what they regard as terrorism, extremism and separatism," she complained. "Any reason to persecute people in one SCO state is enough to persecute them in others. This has a catastrophic influence on the fate of individuals."

Ryabinina of the Human Rights Institute fears that if Tukhtamurodov is returned to Uzbekistan, he is likely to be tortured and given a long term of imprisonment. "Uzbekistan has a ban on torture, but this is ignored and Uzbekistan practices torture systematically," she declared. "There is an international ban on extraditing individuals to countries where torture is practised – and Russia should abide by this. We are ready to take this case as far as the European Court of Human Rights in Strasbourg if we have to."

The use or threat of torture by Uzbekistan is often reported by victims of religious freedom violations, although they normally do not wish to publicly testify to torture and other forms of brutality (see eg. F18News 29 April 2010 http://www.forum18.org/Archive.php?article_id=1438).

Police officer states Uzbek officials not involved in arrest

Tukhtamurodov was detained at a Traffic Police post in Novosibirsk soon after midnight on 18 August. The following day the IslamNews.ru agency, quoting the Society for Political Immigrants from Central Asia, said he was one of the passengers in a car returning from Tarawih night prayers (held during Ramadan) in a local mosque when the car was stopped.

The Society accused some Russian officials of a conspiracy with the Uzbek secret police to arrest Tukhtamurodov, viewing the arrest as part of a long-running Uzbek "hunt for dissidents" currently living in Russia. It claimed that the plainclothes men who detained him presented no documents, and that one of them spoke Uzbek.

However Aleksandr Tokarev, an officer of the Novosibirsk regional police Counterextremism Department, who admitted to Forum 18 that he had been present during the arrest, insisted that all those arresting Tukhtamurodov had been Russian officials. "No-one was there from Uzbekistan," he told Forum 18 from Novosibirsk on 20 September with a laugh. He insisted that he and his fellow officers had identified themselves and presented documentation to back up their arrest.

Tokarev told Forum 18 that Tukhtamurodov has been ordered held in Novosibirsk's Investigation Prison No. 1 until an extradition decision is given.

"That's a state secret"

Asked how the police had known that Tukhtamurodov had been in the car, Tokarev responded: "That's a state secret."

Tokarev said his Centre no longer had a role in the case. "We don't establish guilt – that's an issue for the Prosecutor's Office," he told Forum 18. "Tukhtamurodov was wanted internationally and we just fulfilled the warrant."

The Traffic Police and local police Counterextremism Departments have previously also been used to stop and search Russian Jehovah's Witnesses and Muslim readers of Said Nursi's works for literature banned under anti-extremism legislation. It is unclear how these agencies know which vehicles and individuals to search (see F18News 27 July 2010 http://www.forum18.org/Archive.php?article_id=1470), but the FSB security service is known to in a co-ordinated manner closely watch their believers and communities (see eg. F18News 12 August 2010 http://www.forum18.org/Archive.php?article_id=1478).

Case now with General Prosecutor's Office

Ozdoeva of Novosibirsk Regional Prosecutor's Office told Forum 18 that her Office had concluded that Tukhtamurodov should be extradited to Uzbekistan in accordance with Article 56 of the Commonwealth of Independent States' 1993 Convention on Legal Assistance and Legal Relations on Civil, Family and Criminal Cases.

Ozdoeva added that the case has now been transferred to the General Prosecutor's Office in Moscow, which will take the decision.

Asked why her Office seems to have accepted at face value the accusations against Tukhtamurodov levelled by the Uzbek authorities, Ozdoeva insisted that her Office was not in a position to verify the accusations. "If Uzbekistan sends documents that a criminal investigation is underway against someone, it is our role to complete the paperwork," she told Forum 18. "If he objects to the charges, Tukhtamurodov can defend his rights – he has a lawyer and has access to all the paperwork."

Will General Prosecutor's Office agree to extradition?

Russia's General Prosecutor's Office in Moscow declined to discuss Tukhtamurodov's case by telephone, insisting it can only respond to questions submitted in writing.

Tukhtamurodov's lawyer, Igor Khryachkov, told Forum 18 from Novosibirsk on 20 September that it could be several months before the General Prosecutor's Office rules on the extradition, as it will have to liaise also with the General Prosecutor's Office in Uzbekistan. In the meantime, he said he would try to have his client freed as he awaits the decision. "But it's unlikely the court will overturn the detention decision."

Asked whether the General Prosecutor's Office is likely to accede to the Uzbek extradition request, Khryachkov said that in law it had the possibility to reject it. "But it's not clear if they will." (END)

For more background, see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1196, and Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1170.

Analysis of the background to Russian policy on "religious extremism" is available in two articles: - 'How the battle with "religious extremism" began' (F18News 27 April 2009 http://www.forum18.org/Archive.php?article_id=1287 - and - 'The battle with "religious extremism" - a return to past methods?' (F18News 28 April 2009 http://www.forum18.org/Archive.php?article_id=1288).

A personal commentary by Irina Budkina, Editor of the <http://www.samstar.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, is at F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <http://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation, is at F18News 19 July 2010 http://www.forum18.org/Archive.php?article_id=1468.

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.

Reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>, and 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 Russia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>, and a printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>.

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