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UZBEKISTAN: Heavy sentences at further mass trial of Muslims

By Mushfig Bayram, Forum 18 (<https://www.forum18.org/>)

At the end of a two month trial which was closed to human rights defenders, 18 Muslims were given prison terms of between three years three months and nine years accused of membership of a "religious extremist" group, Saidjakhon Zainabidinov, a human rights defender from Andijan, told Forum 18 News Service. A further seven were given suspended sentences. All 25 were members of Shohidiya, an Islamic religious movement which follows the Koran but not the hadiths, the oral traditions of the Muslim prophet Muhammad's sayings. Court and Prosecutor's Office officials refused to discuss the cases with Forum 18. Meanwhile, Baptists are again asking the Supreme Court to re-examine the ten year sentence handed down on Tohar Haydarov. He is not being given letters sent to him at his labour camp "because they were full of religious words like God, and needed to go through censorship," camp officials told his fellow Baptists. Despite also not being given a Bible sent to him, one camp official told Forum 18: "We have religious freedom in our prison."

More than two months after the trial began, Andijan [Andijon] Regional Criminal Court in eastern Uzbekistan handed down prison sentences on 10 November of between three years three months and nine years to 18 members - all men - of Shohidiya, an Islamic religious movement, Saidjakhon Zainabidinov, a human rights defender from Andijan, told Forum 18 News Service. The Court also gave suspended prison sentences of five to six years to seven other members of the movement, all women. He said the Court did not allow human rights defenders to observe the trial. Court and Prosecutor's Office officials refused to discuss the cases with Forum 18.

Among the imprisoned are Nasibullo Karimov, the leader of the movement who received a nine-year sentence, Nadyrzhon Turojonov, an Associate Professor of the local Agriculture Scientific Institute, Abdumannop Mamajanov, Azizbek Sodykov, Ahmadullo Tillabayev, Madamin Kholmirezoyev and Karim Yusupov.

Zainabidinov told Forum 18 that the Court tried the 25 Muslims under Criminal Code Article 244-2 ("creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations"). The trial began on 7 September. Only nine of the defendants were put in custody during the trial and pre-trial investigation.

Andijan authorities refused to comment on the case on 21 December. Dilshod Tajibayev, Chair of Andijan Regional Criminal Court, took down Forum 18's name but put the phone down when asked to explain why the group had been sentenced. Both the Andijan City and Regional Prosecutor's offices told Forum 18 no one was available to comment on the case. Shaket Gulomov, Andijan Regional Administration's religious affairs official, told Forum 18 to get the Foreign Ministry's consent for him to comment.

Other prisoners of conscience

Many Muslims have been given long prison sentences in 2010 to punish them for exercising their freedom of religion or belief. Among them were Mehrinisso Hamdamova and two other women, sentenced to between six and a half and seven years in jail in April (see F18News 26 April 2010 http://www.forum18.org/Archive.php?article_id=1436); nine men jailed for between six and nine years in April (see F18News 4 June 2010 http://www.forum18.org/Archive.php?article_id=1455); and sports journalist Hairulla Hamidov and 18 others fined and jailed for up to six years in June (see F18News 8 July 2010 http://www.forum18.org/Archive.php?article_id=1465). Some Protestant Christians and Jehovah's Witnesses are also serving long prison terms for exercising their freedom of religion or belief. These are a Pentecostal Pastor from Andijan, Dmitry Shestakov, who is serving a four year sentence, and three Jehovah's Witnesses: Abdubannob Ahmedov, Sergei Ivanov, and Olim Turaev (see F18News 6 April 2009 http://www.forum18.org/Archive.php?article_id=1280).

Protestants and Jehovah's Witnesses are also regularly punished with short-term detentions of up to fifteen days under the Code of Administrative Offences (see eg. F18News 23 September 2010 http://www.forum18.org/Archive.php?article_id=1491).

Why were Muslims punished?

Human rights defender Zainabidinov said that the Muslim Shohidiya movement was not engaged in any political or missionary activity. "They may have some differences to the Islamic traditions and teachings generally accepted in Uzbekistan, but they are a peaceful movement," he pointed out. Among the differences he indicated that Shohidiya followers fast before, during and after the

month of Ramadan. They are allowed to eat at any time of the day except they are not allowed to eat certain types of food.

The movement also adheres only to what is written in the Koran and not the hadiths, the collections of oral sayings attributed to the Muslim prophet Muhammad, Zainabiddinov said. Praying five times a day as is generally accepted is also not necessary for the followers, and they recite their prayers in Uzbek, not Arabic.

The movement was established in the 1950s during the Khrushchev era, Zainabiddinov noted. It has continued up till today in Andijan, and was headed until recently by Habibullo Karimov, who translated the Koran into Uzbek. Karimov was paralysed and bedridden, and died in November. Charges were not brought against him as he was old and ill. When Karimov became ill, the leadership of the movement passed to his brother Nasibullo, who was among those imprisoned.

The criminal case against the 25 Shohidiya followers may have been opened after the apparent trial in August and conviction of one young male member of the movement in Andijan in a separate case allegedly for killing his father for not observing the movement's rites, Zainabiddinov told Forum 18. "I do not know the young man or his family, but I was told this by relatives of the Shohidiya followers, who are afraid to reveal their identity," he said. "However, it is not sure that the young man killed his father or even if he did, whether he did it because of his religious beliefs."

Zainabiddinov said he does not know of any other details of the alleged homicide case. "The authorities would not give information about the case," he said.

Will Supreme Court hear imprisoned Baptist's complaint?

Baptists from Tashkent told Forum 18 on 21 December that they filed a second complaint on 27 November to Uzbekistan's Supreme Court to reverse the punishment handed down to Tohar Haydarov.

The young Baptist had been sentenced to ten years' imprisonment in Guliston on 9 March for "illegal sale of narcotic or psychotropic substances in large quantities" and Syrdarya Regional Court had upheld the sentence on appeal in April (see F18News 26 April 2010 http://www.forum18.org/Archive.php?article_id=1436). Church members have consistently maintained that the allegations were fabricated as a way to punish Haydarov for his religious affiliation. An appeal against the sentence was first registered at the Supreme Court in September (see F18News 16 September 2010 http://www.forum18.org/Archive.php?article_id=1489).

The Supreme Court earlier had referred the Baptists' first complaint back to Syrdarya Regional Court, which upheld its previous decision.

"We have new evidence of Tohar's innocence, which is why we filed the second complaint," the Baptists said. "Tohar's mother indicates in the new complaint that she had earlier slandered her son during the pre-trial investigation. Forum 18 notes that Haydarov's mother's testimony was the major evidence used by the authorities to prove that he used drugs.

The Baptists told Forum 18 that also two of the official witnesses used when making the search in Haydarov's home were not residents of Karshi city as indicated in the case files. The third witness, who according to official records was Haydarov's neighbour, did not live at the address officially indicated. The Baptists said that when they found him and talked to him, he told them that he was made to sign the official records of the search. The witness however was afraid to testify in the court.

The Baptists told Forum 18 that they have not heard back from the Supreme Court when or if their new complaint will be heard.

Supreme Court officials refused to tell Forum 18 on 21 December when the court would hold its hearing of the complaint. One official, who did not give his name, told Forum 18 to convey its questions in writing, but when Forum 18 insisted he asked it to call the Court's chancellery. The phone of the chancellery went unanswered on the same day.

"Prisoners are prohibited to have a personal Bible"

The Baptists complained to Forum 18 that the management of the Shaykh-Ali labour camp in Kashkadarya region's Karshi city, where Haydarov is being held, do not pass on all the letters and gifts sent to him.

As a result of their 20 November visit to Haydarov in the labour camp, the Baptists told Forum 18, "we found out that he did not get most of the letters we wrote to him to encourage him". An official of the prison (the name was not given) told the Baptists that some of the letters were not passed on to him "because they were full of religious words like God, and needed to go through censorship."

The Baptist also complained that recently a parcel of gifts was sent to Haydarov from Germany. However, the management of the prison confiscated the contents, giving him only a small chocolate bar.

They also expressed doubts that Haydarov, after work under trying conditions at a brick-making factory near the prison, is allowed to go to the library to read the Bible. The prisoners work at the factory from 8 am till 5 pm, the Baptists said. "When we found out

the Bible we sent for him was not given to him, we asked the prison management what the reason was," the Baptists said. "One prison official told us that prisoners are prohibited to have a personal Bible - they could only be placed in the library."

Prison official claims "we have religious freedom"

One official of the Prison who presented himself to Forum 18 on 20 December as Major Kholmurodov, deputy Chief of the Prison, rejected the Baptists' complaints. He claimed that letters were being passed on to Haydarov, though he added that the Bible could only be placed in the library of the prison. "We have religious freedom in our prison, but according to the law religious books must be placed in the library." He could not tell Forum 18 where exactly in Law this was established.

Asked if the Bible sent for Haydarov was placed in the library and if Haydarov had any free time or opportunity to read the Bible in the library, he said he did not know. "I will look into the matter soon."

Asked why the contents of the parcel from Germany for Haydarov were taken away, Kholmurodov said he did not exactly know what parcel Forum 18 referred to. "Maybe it had unprocessed food stuffs in it like raw meat," he told Forum 18, insisting that such contents are usually confiscated.

Another unexplained entry denial

Meanwhile, another foreign national coming to Uzbekistan to meet with fellow-believers has been denied entry to the country at Tashkent airport. Russian Pentecostal Pastor Viktor Sudakov, who leads the New Life Church in the Urals city of Yekaterinburg, was denied entry late on 17 December after arriving on a flight from the Kazakh city of Almaty, Protestants told Forum 18.

As a Russian citizen, Pastor Sudakov does not need a visa to enter Uzbekistan. However, border guards spent a long time examining his passport before refusing him entry without explanation. His baggage was returned and he was placed in the transit lounge to await his onward flight to Yekaterinburg three days later. Local church members also tried unsuccessfully to find out why Pastor Sudakov was being denied entry.

Pastor Sudakov arranged for others to buy him a ticket to Moscow and left on 18 December. A border guard and a man in plain clothes accompanied him to the plane and returned his passport only as he boarded the flight.

Protestants pointed out to Forum 18 that Pastor Sudakov had visited Uzbekistan a number of times without problems and never committed any crimes there. They believe he was prevented from entering because he is a pastor.

The head of Ukraine's Baptist Union, Vyacheslav Nesteruk, was denied entry to Uzbekistan at Tashkent's airport on 31 October and put on a return flight to his homeland. He too was given no reason for the entry denial (see F18News 25 November 2010 http://www.forum18.org/Archive.php?article_id=1513). (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>.

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