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RUSSIA: "Extremism" trial of imams resumes

By Geraldine Fagan, Forum 18 (<https://www.forum18.org/>)

The trial of two imams serving with a major Russian Muslim organisation resumed today (27 February) in Novosibirsk. One of the imams, Komil Odilov, was questioned for the whole four-hour hearing, the other imam, Ilhom Merazhov, told Forum 18 News Service afterwards. Merazhov complained he was not permitted to ask questions about the substance of the case, such as the meaning of allegations that the imams had sought "Islamisation of the region" and formed a "conspiratorial medressah". "We acted within the boundaries of our religion and did not violate Russian laws," Merazhov insisted to Forum 18. "How can they say 'conspiratorial medressah'? It's Odilov's flat, he's the owner, he talks about God in his own flat and it's a crime! This is simply repression." Police officer Aleksandr Tokarev, who has been closely involved with the case, did not provide any specific examples when asked by Forum 18 what was concretely "extremist" about Merazhov and Odilov's activity. Tokarev referred Forum 18 to the charges against the pair: "It's all laid out there!" He declined to answer any further questions.

The trial of two imams serving with a major Russian Muslim organisation resumed today (27 February) in the Siberian city of Novosibirsk. One of the imams, Komil Odilov, was questioned for the whole four-hour hearing, the other imam, Ilhom Merazhov, told Forum 18 News Service soon afterwards. Merazhov complained he was not permitted to ask questions about the substance of the case, such as the meaning of allegations that the imams had sought "Islamisation of the region" and formed a "conspiratorial medressah".

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Formally, Merazhov and Odilov are charged with organising the activity of a banned extremist organisation – "Nurdzhular". Under the corresponding Criminal Code Article 282.2, Part 1, the harshest possible punishment is three years in prison.

The pair are imams with the Spiritual Directorate of Muslims of the Asian Part of Russia, an affiliate of the Council of Muftis, whose senior representatives broadly support the regime of President Vladimir Putin.

They are also the latest readers of Islamic theologian Said Nursi to be prosecuted as organisers of "Nurdzhular" (a russification of "Nurcular", Turkish for "Nursi followers"). Russia's Supreme Court banned "Nurdzhular" as an "extremist" organisation in April 2008. Nursi readers deny they form part of any such organisation (see Forum 18's Russia "Extremism" religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Law enforcement agents now routinely equate readership of Nursi with membership of "Nurdzhular". Yet Forum 18 has found no connection between the few reasons offered by Russian courts for banning Nursi literature and broader state allegations regarding "Nurdzhular" (see F18News 5 March 2013 http://www.forum18.org/Archive.php?article_id=1811).

Forum 18 has also found numerous inconsistencies in the prosecution's case against Merazhov and Odilov (see F18News 28 February 2013 http://www.forum18.org/Archive.php?article_id=1808).

State response

Aleksandr Tokarev, an officer in the police Counterextremism Department for Novosibirsk Region who has been closely involved with the case, insisted to Forum 18 on 26 February that full information was already contained in the charges. Beginning to cite contradictions in the charges, Forum 18 asked why Merazhov and Odilov are accused of seeking merely to change Russia's constitutional order rather than "violent change of the constitutional order" – the corresponding definition of extremism stipulated by the 2002 Extremism Law.

Tokarev responded by directing Forum 18 to the 2008 court decision banning "Nurdzhular" as an extremist religious organisation: "It's all in the Supreme Court decision of the Russian Federation!" Pointing out that this decision was not publicly available, Forum 18 asked what was concretely "extremist" about Merazhov and Odilov's activity. Tokarev again referred Forum 18 to the charges

against the pair: "It's all laid out there!" He declined to answer any further questions.

The telephone of Stanislav Leiba, the state investigator who drew up the charges against Merazhov and Odilov, went unanswered when Forum 18 rang repeatedly on 26 February. He has earlier refused to discuss with Forum 18 any aspect of the case other than its status (see F18News 12 January 2012 http://www.forum18.org/Archive.php?article_id=1654).

Background

From a Turkish Sufi background, Said Nursi (1876-1960) attempted to integrate Islamic and modern scientific thought. Known for biting opposition to the social consequences of atheist ideology, he once wrote to the Vatican suggesting that Muslims and Christians should join forces against it. While Nursi spent many years in internal exile and prison under the rigidly secularist regime of Mustafa Kemal Atatürk, his works are now freely read in Turkey.

Some Russian regional law enforcement agents are now stepping up their campaign against Nursi readers. Courts in Kaliningrad, Krasnoyarsk, and St Petersburg have ruled 18 Nursi works extremist in recent months. Also, two Nursi readers stand accused of organising extremist activity following armed raids in the traditionally Muslim republic of Tatarstan on 14 February (see F18News 19 February 2013 http://www.forum18.org/Archive.php?article_id=1803).

Even a very low-level court may rule texts extremist. If not successfully challenged, this results in automatic placement of the offending literature on the Federal List of Extremist Materials. Once on the List, distribution is banned throughout Russia (see Forum 18's Russia "Extremism" religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

Jehovah's Witnesses are also a particular target of Russia's campaign against "extremism", and numerous Jehovah's Witness texts have been added to the Federal List. Despite continuing harassment and multiple prosecutions, however, law enforcement agents have yet to succeed in imprisoning a Jehovah's Witness for "extremism" (see F18News 2 January 2013 http://www.forum18.org/Archive.php?article_id=1786).

Trial

Hearings against Merazhov and Odilov began under Magistrate Anna Pozdnyakova at Novosibirsk's October District Magistrate Court No.7 on 8 February. The trial is proceeding hurriedly, with three-day sessions scheduled at intervals throughout March, the imams' lawyer Sergei Sychev told Forum 18 on 21 February. He believes a decision could be reached as early as April.

The case against the pair was opened on 11 October 2011, when police seeking Nursi literature raided a group of about 15 Muslims – including both defendants – while they were eating plov (rice) at Odilov's flat (see F18News 14 October 2011 http://www.forum18.org/Archive.php?article_id=1625).

Previously, a Novosibirsk police colonel detained Odilov in June 2010 as he got off a Krasnoyarsk–Novosibirsk train, suspecting him of intending to distribute Nursi literature (see F18News 27 July 2010 http://www.forum18.org/Archive.php?article_id=1470).

Popular defence

An online petition in support of Merazhov and Odilov had almost 6,000 signatures as of 27 February. It may be viewed at <http://golosislama.ru/president>.

Many leading Russian Muslims have also agreed to testify in Merazhov and Odilov's defence, Sychev told Forum 18.

One mufti who has already spoken publicly is Mukaddas Bibarsov, Saratov-based co-chair of the Council of Muftis. He described the investigator's accusations of extremism and radicalism against Merazhov as "incomprehensible and absurd. For the time I've known him – and that's many years – I've not heard him voice any radical ideas or even hints at them," the Moscow-based SOVA Center for Information and Analysis reported on 11 November 2011.

Also in November 2011 – soon after the case opened – Fatykh Garifullin, a representative of Merazhov's local muftiate, remarked to IslamRF Russian Muslim website that, "There are old folk still alive who remember how people were arrested in the 1930s and accused of participating in revolutionary organisations simply because books in Arabic were found in their homes. Then it turned out that these organisations didn't exist, but it was too late."

State-controlled media coverage of the case has also aroused such concerns. In a 25 October 2011 report of the police raid on Odilov's flat, for example, Rossiya national TV channel news noted that while Nursi's books are banned in Russia, 500 were found, "and in Arabic, moreover".

As well as the Novosibirsk case, leading Muslims and human rights defenders – including Russia's Ombudsperson for Human Rights – are critical of the state's broader campaign against Nursi readers (see F18News 5 March 2013

http://www.forum18.org/Archive.php?article_id=1811).

Other cases

To date, five Nursi readers have received prison terms of up to 18 months as alleged members of "Nurdzhular"; five more have received suspended prison sentences (see F18News 6 June 2012 http://www.forum18.org/Archive.php?article_id=1709).

The criminal "extremism" trials of a further five Nursi readers have been abandoned as they were not completed within the required two-year period. The most recent such case was in Orenburg, where the trial of Ramil Latypov was halted in December 2012 (see F18News 2 January 2013 http://www.forum18.org/Archive.php?article_id=1786).

No "extremism" criminal convictions have been handed down against Nursi readers since October 2011, however.

The only ongoing court proceedings against Nursi readers other than in Novosibirsk are in the Urals city of Chelyabinsk. The criminal trial of three women who read Nursi's works – Farida Ulmaskulova, Gulnaz Valeyeva and Venera Yuldasheva – began at the city's Lenin District Court on 3 October 2012 (see F18News 10 October 2012 http://www.forum18.org/Archive.php?article_id=1752).

According to the Court's website, however, the next 11 hearings were postponed due to non-appearance of either a witness or defender. The next hearing is scheduled for 11 March.

The three women are being tried for participating in a banned "extremist" organisation (Criminal Code Article 282.2, Part 2) – "Nurdzhular" - and "incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity" (Criminal Code Article 282, Part 1).

Their case was launched after August 2011 raids on a village home in Kurgan Region where Ulmaskulova was teaching Islam to seven girls. Almost simultaneously, Ulmaskulova's and Valeyeva's homes in Chelyabinsk were raided. Religious books and other items were confiscated (see F18News 12 January 2012 http://www.forum18.org/Archive.php?article_id=1654).

Similar cases have not reached trial

In Russia's Baltic exclave of Kaliningrad, the criminal investigation against Nursi reader Amir Abuev is now complete. Also lawyer to Abuev, Sergei Sychev is currently familiarising himself with the case material, he told Forum 18, but as this runs to 11 volumes, court hearings are unlikely to begin before April.

Abuev's case was similarly opened under Criminal Code Article 282.2, Part 1 on 10 February 2012; the FSB security service raided his home the following day. An FSB investigator has repeatedly but unsuccessfully tried to commit Abuev to psychiatric hospital (see F18News 16 May 2012 http://www.forum18.org/Archive.php?article_id=1701).

On 1 February 2013 Samara regional news website Samru reported the break-up of a "Nurdzhular cell" in the local city of Tolyatti after the seizure of "extremist" literature during April 2012 raids. No trial followed, but three alleged members - Nadir Mamishov, Ildyrym Nasibov and Garai Nazarov - received official warnings on 17 May, according to the website. (END)

For more background, see Forum 18's surveys of the general state of religious freedom in Russia at http://www.forum18.org/Archive.php?article_id=1722, and of the dramatic decline in religious freedom related to Russia's Extremism Law at http://www.forum18.org/Archive.php?article_id=1724.

An analysis of the way that the Russian authorities have used the Pussy Riot case to intensify restrictions on freedom of religion or belief is at F18News 15 October 2012 http://www.forum18.org/Archive.php?article_id=1754.

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.

A personal commentary by Irina Budkina, Editor of the <http://www.samstar.ucoz.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.

More 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>.

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.

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