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RUSSIA: Readers of Islamic theologian under house arrest, travel bans

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

Seven readers of Islamic theologian Said Nursi are known to be under house arrest or other travel bans in different regions of Russia, Forum 18 News Service has learnt. All are accused or suspected of organising or participating in banned "extremist" organisation "Nurdzhular" – charges they reject - and could face up to three years in prison. Gulnaz Valeyeva – one of three female Nursi readers on trial in Chelyabinsk Region - married in 2012. But she is unable to live with her husband, who works over 2,000 km away in Krasnoyarsk, another of the three told Forum 18. Another cannot visit her frail 85-year-old mother. Meanwhile, all 16 Jehovah's Witnesses on criminal trial in Taganrog of belonging to an "extremist" organisation have been under travel bans for over a year, Viktor Zhenkov, one of their lawyers, told Forum 18.

Two readers of Islamic theologian Said Nursi are now under house arrest in Tatarstan Republic, while five more are known to be under travel bans there and in other regions of Russia, Forum 18 News Service has learnt. "Only Allah knows when this will end!" Farida Ulmaskulova remarked to Forum 18 on 20 June. One of those under a travel ban, she has been unable to leave Chelyabinsk Region for approximately one year.

Eight Nursi readers are also being held in detention in St Petersburg and Perm (see F18News 24 June 2013 http://www.forum18.org/archive.php?article_id=1850).

Detention, house arrest and travel bans are among possible measures against those suspected or accused of a crime (Criminal-Procedural Code, Article 98).

In all these cases, Nursi readers are accused or suspected of organising or participating in banned "extremist" organisation "Nurdzhular" (a russification of "Nurcular", Turkish for "Nursi followers"). The harshest possible punishment – for organising - is three years in prison (Criminal Code, Article 282.2, Part 1). Nursi readers deny they form part of any organisation (see Forum 18's Russia "Extremism" religious freedom survey http://www.forum18.org/Archive.php?article_id=1724).

A landmark trial of two Nursi readers in the Siberian city of Novosibirsk ended in late May in their one-year suspended prison sentences (see F18News 18 June 2013 http://www.forum18.org/archive.php?article_id=1848).

The Supreme Court's April 2008 decision banning "Nurdzhular" – and so underpinning all these cases - has finally been released as part of the Novosibirsk case material (see below).

From a Turkish Sufi background, Said Nursi (1876-1960) attempted to integrate Islamic and modern scientific thought. 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.

Forum 18 finds the primary cause of Russia's anti-Nursi campaign to be state opposition to "foreign" spiritual and cultural influence (see F18News 5 March 2013 http://www.forum18.org/archive.php?article_id=1811).

In the Black Sea coast town of Taganrog, meanwhile, another key trial for involvement in a banned "extremist" organisation – the local Jehovah's Witness congregation – began in May against 16 Jehovah's Witnesses (see F18News 18 June 2013 http://www.forum18.org/archive.php?article_id=1848).

All 16 Jehovah's Witnesses have been under travel bans for over a year, Viktor Zhenkov, one of their lawyers, told Forum 18 on 20 June. In their case, they are forbidden from leaving the town of Taganrog without state permission.

Tatarstan

In Naberezhnyye Chelny (Tatarstan Republic), three Nursi readers now stand accused of organising the activity of "Nurdzhular"

under Article 282.2, Part 1, local Nursi reader Laura Khapinova told Forum 18 on 13 June. Two men – Ilnur Khafizov and Fidail Salimzyanov – are under house arrest, while a woman – Nakiya Sharifullina – is under a travel ban.

Following 14 February law enforcement raids that instigated the charges, Khafizov was held in detention, but this was subsequently changed to house arrest – Khapinova thought in mid-May. Sharifullina was initially held under house arrest, but this was softened to a travel ban in mid-May, Khapinova told Forum 18, although Sharifullina was not informed of this change for another two weeks.

It is unclear when the trio's cases will reach court, as Nursi literature confiscated during the February raids is still being analysed (see F18News 19 February 2013 http://www.forum18.org/archive.php?article_id=1803).

Referred to Naberezhnyye Chelny City Court's press service on 19 June, Forum 18 was told that the Court granted an appeal to soften Khafizov's detention to house arrest only on 18 June, and that this would be in force until 14 July. The press service spokesperson was unable to provide further details.

At Naberezhnyye Chelny Public Prosecutor's Office, Igor Azamatov, the assistant prosecutor dealing with the case, confirmed to Forum 18 on 19 June that the trio had been charged under Article 282.2, Part 1, and that the restrictions on their movement had been enforced "because they are accused of committing a crime".

Asked if the restrictions were due to the nature of the crime or other circumstances, Azamatov declined to answer, adding only that the investigation was ongoing, and that he did not know when the case would reach court.

Chelyabinsk

The only "extremism" trial of Nursi readers known to be ongoing – against three women in Chelyabinsk Region – is proceeding slowly. The trial – against Farida Ulmaskulova, Gulnaz Valeyeva and Venera Yuldasheva – began at the city's Lenin District Court on 3 October 2012.

The three are accused of participation in "Nurdzhular" (Article 282.2, Part 2) and "incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity" (Criminal Code Article 282, Part 1) (see F18News 10 October 2012 http://www.forum18.org/Archive.php?article_id=1752).

Hearings are taking place, Ulmaskulova told Forum 18 on 20 June, but typically end in postponement when a witness is unable to attend: "There are so many people involved that they can't be brought together all at once." Numerous prosecution and expert witnesses have testified so far, she said, but it is unclear when a decision might be reached. According to the Court's website, the next hearing is scheduled for 25 July.

All three women have been under travel bans for approximately one year, Ulmaskulova told Forum 18, which in their case means they are forbidden from leaving Chelyabinsk Region. Ulmaskulova is consequently unable to go to neighbouring Kurgan Region to visit her 85-year-old mother – who is too frail to travel – and could not lead a group on the Muslim haj pilgrimage to Mecca in 2012.

Similarly unable to visit relatives in Tatarstan, Gulnaz Valeyeva married in 2012 but is unable to live with her husband, who works over 2,000 km away in Krasnoyarsk, Ulmaskulova lamented to Forum 18: "He visits, but it's a long way."

In Russia's Baltic exclave of Kaliningrad, the only other long-standing "extremism" case known to be open against a Nursi reader has still to reach court. Hearings have yet to begin in the case of Amir Abuyev, he told Forum 18 on 18 June: "They don't tell me anything." Abuyev's case was opened under Article 282.2, Part 1 in February 2012. He is also under a travel ban (see F18News 16 May 2012 http://www.forum18.org/Archive.php?article_id=1701).

Supreme Court decision emerges

Previously unavailable, the Supreme Court's 10 April 2008 decision banning "Nurdzhular" – and so underpinning all these cases – has finally been released among case material in the Novosibirsk imams' trial.

The two imams, Merazhov and Odilov, were refused the right to challenge the Supreme Court ban, on the grounds that they were unconnected with the case. In the Supreme Court's 26 December 2012 explanation seen by Forum 18, Judge Nikolai Romanenkov returns the pair's request, noting: "You are not persons participating in the case" (see F18News 28 February 2013 http://www.forum18.org/archive.php?article_id=1808).

Seen by Forum 18, the four-page ruling was made by Judge Romanenkov at the request of the General Prosecutor's Office. No defence arguments were presented to the Court.

Asked by Forum 18 on 5 March 2013 why the General Prosecutor's Office had initiated prosecution of alleged members of "Nurdzhular", a spokesperson at the Office's press service insisted that questions be submitted by fax.

Forum 18 earlier faxed questions to the Office's press service in July 2009, asking why moves were underway in various parts of the Russia against those who study Nursi's works. Forum 18 did not receive a response (see F18News 5 March 2013 http://www.forum18.org/archive.php?article_id=1811).

In the 2008 ruling, the reasons given for the General Prosecutor's Office's request are that "Nurdzhular": aims to create a worldwide Islamic state (caliphate); threatens interethnic and inter-confessional stability and the territorial integrity of the state; infringes upon the personality, rights and freedoms of the citizen; forms groups among the population with "a positive attitude towards death and a readiness to self-sacrifice in the name of the interests of its teaching"; propagandises the superiority and inferiority of citizens on the basis of their attitude to religion, as well as enmity between Muslims and non-believers.

No evidence of this activity - or proof that "Nurdzhular" exists as an organisation - are given in the Supreme Court ruling. Noting the controversial 2007 Koptevo District Court decision that determined 14 parts of Nursi's "Risale-i Nur" "extremist" (see above), it instead maintains that "Nurdzhular" creates groups to study that work, "thereby creating fertile conditions for the formation of a resource base for other organisations of an extremist or terrorist kind that use Islamic rhetoric".

The ruling also claims that "Nurdzhular" followers "carry out the publication, translation and dissemination of books by Said Nursi".

Crucially, however, the ruling fails to establish the reverse link: that a Nursi reader is automatically involved in the alleged organisation "Nurdzhular". (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.

A printer-friendly map of Russia is available at <http://education.nationalgeographic.com/mapping/outline-map/?map=Russia>.

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