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UZBEKISTAN: Police knew search results before they searched

By Igor Rotar, Forum 18

In the latest series of trials of Muslims, apparently simply because they are devout Muslims, ten men have been sentenced to jail terms of between 10 and 12 years, a local human rights activist has told Forum 18 News Service. All ten have denied the criminal charges made and claim that evidence was planted on them. Forum 18 has been told that the wife of one of those arrested, Mukudas Yusupova, was mistakenly given by police a document showing the results of the search before the search had been conducted. Neither lawyers for the accused, nor human rights activists, nor journalists, were allowed into the court to hear the sentence, and police officers beat up protestors calling for journalists, human rights activists and lawyers to be allowed into the court.

On 23 July, in eastern Uzbekistan, Fergana [Farghona] regional court sentenced ten devout Muslims to prison terms of between 10 and 12 years, apparently because they are devout Muslims, local human rights activist Akhmajon Madmarov told Forum 18 News Service in Fergana on 7 August. The ten, Shukhrat Solikhiddinov, Ikrom Akhmajanov, Akhmajon Madmarov (who is unrelated to the human rights activist of the same name), Islambek Isobekov, Rustam Yusupov, Abdukhamid Azamov, Makhmajon Akbarov, Khairullo Obidov, Bakhodiy Ulmasov and Umar Ashurov, were all accused under four articles of the criminal code: Article 159 (undermining the constitutional basis of the republic of Uzbekistan), Article 244 part 2 (setting up, leading or participating in separatist, fundamentalist or other banned organisations) and Article 248 (unlawful possession of fire arms) and Article 276 (unlawful possession of drugs). All the men claim that evidence for these charges was planted on them.

All those sentenced had previously served prison terms on charges of being members of the banned Islamist party Hizb ut-Tahrir, but were released under an amnesty in 2003. An outline of Hizb ut-Tahrir's aims is given in F18News 29 October 2003 http://www.forum18.org/Archive.php?article_id=170.

Ashurov was the first to be arrested - on 31 March 2004. On 3 April the other nine met for a meal at Solikhiddinov's house in Margelan, a satellite town near Fergana. Suddenly 20 police officers entered the house, showing a search warrant (see F18News 12 July 2004 http://www.forum18.org/Archive.php?article_id=361). During the search the police claim to have found a copy of the magazine Al-vai (Wisdom) published by the Hizb ut-Tahrir party, as well as three leaflets. Solikhiddinov later claimed in court that this literature had been planted in his home.

All those present were taken to the Fergana regional police. Police claim they found bullets, drug-related items and Hizb ut-Tahrir leaflets during a search of their homes, but relatives of the detainees claim that all these "articles of evidence" had simply been planted. This view is shared by the human rights activist Madmarov, who points out that identical items were allegedly found in each home. Moreover, Madmarov told Forum 18 that the wife of one of those arrested, Mukudas Yusupova, told the court that the police had mistakenly handed her a document showing the results of the search instead of the search warrant, even before the search had been conducted (see F18News 12 July 2004 http://www.forum18.org/Archive.php?article_id=361).

Neither human rights activists nor journalists, nor even the lawyers of the accused, were allowed into the court on 23 July to hear the sentence pronounced. Yusupova, who was present in court, told Forum 18 on 7 August in Margelan that in his concluding statement in court, one of the accused, Islambek Isobekov, said that when he came out of prison in 2003 he was classified as a first degree invalid (the most serious of three levels of disability in Uzbekistan). "I could barely crawl out of hospital," he told the court. "It's simply ridiculous to imagine that someone as ill as me could be a terrorist. We are being dealt with simply because we are devout Muslims."

When the sentence was read out, the accused started calling for journalists, human rights activists and lawyers to be allowed into the court, but the police officers started beating the protesters with truncheons in response to their demands.

This is not the only legal case against Muslims in Fergana region following the March/April terrorist attacks outside the region in Tashkent and Bukhara [Bukhoro]. On 6 July Margelan court sentenced the imam of the central mosque in Novy Margelan Alokhon Ishankhojayev to six years' imprisonment, despite an absence of proof for the charges made against him (see F18News 12 July 2004 http://www.forum18.org/Archive.php?article_id=361). On 26 July the Fergana regional court rejected an appeal against the decision of the Margelan court by Ishankhojayev's lawyer, leaving the sentence unchanged.

The trial of two Muslims, Akhmatakul Gainazarov and Abdula Kamalov, from the village of Buvaïd, 70 kilometres (45 miles) west of Fergana, has been underway since 26 July. During a search of their homes on 17 April, they too had weapons and drugs planted on them, according to Madmarov.

For more background information see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=105

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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