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UZBEKISTAN: Prisoner's wife on trial to show "who is boss here"

By Igor Rotar, Forum 18

Halima Boltobayeva, a Muslim whose husband is in jail, was told by prison staff when visiting her husband that she dressed like a female Muslim terrorist, Forum 18 News Service has been told. Boltobayeva, who for religious reasons wears the hijab headscarf and a long garment that covers her entire body, retorted that she would dress as she believed was fitting. According to a local human rights activist, prison staff then decided to show her "who is boss here." She is now on trial accused of being a member of the banned Islamist group Hizb ut-Tahrir, even though she has stated that "she hated Hizb ut-Tahrir as her husband had ended up in prison because of the organisation."

Halima Boltobayeva, whose husband is serving a prison term in the central Uzbek city of Navoi [Nawoiy] for membership of the banned Islamist movement Hizb ut-Tahrir, is being tried in Navoi city court on charges of undermining Uzbekistan's constitutional set-up, despite her opposition to Hizb ut-Tahrir. A local human rights activist, Ahmajon Madmarov insists to Forum 18 News Service that the real reason for Boltobayeva's arrest was her religious clothing.

"Boltobayeva told the court that she hated Hizb ut-Tahrir as her husband had ended up in prison because of the organisation," Madmarov, who attended the first hearing in Navoi, told Forum 18 on 17 January in Boltobayeva's home town of Margelan in the Uzbek section of the Fergana [Farghona] valley. "Boltobayeva asserted that the leaflets had been planted on her to show that it was a crime not just to be a member of Hizb ut-Tahrir in Uzbekistan, but also to be a practising Muslim." The Fergana valley is well-known for having many devout Muslim inhabitants.

(An outline of Hizb ut-Tahrir's aims is given at http://www.forum18.org/Archive.php?article_id=170).

Judge Zainuddin Begmatov, who is presiding over the trial, refused to comment on Boltobayeva's case. "I'm not going to give that sort of information over the telephone," he told Forum 18 from Navoi on 17 January. "Uzbekistan is a democratic, law-governed state. The court case against Boltobayeva is public. Please, come here and write your report." He would only confirm that Boltobayeva has been charged under Article 159 of the criminal code, which punishes undermining the constitutional basis of the republic.

Boltobayeva was arrested on 20 November while visiting her husband in prison in Navoi after guards claim to have found Hizb ut-Tahrir leaflets in cans of condensed milk she had brought her husband. Madmarov maintains that the leaflets were planted on her. "The prison staff searched Boltobayeva in one room, while at the same time the things she had brought her husband were checked in another room. That means that she wasn't even there for the alleged discovery of leaflets in the things she had brought," he told Forum 18.

Madmarov insists that the real reason for Boltobayeva's arrest was that, for religious reasons, she wears the hijab headscarf and a long garment that covers her entire body. He reports that the prison staff told Boltobayeva that her husband was a terrorist and that she herself dressed like a "shahidka", a term widely used for a female Muslim terrorist. Boltobayeva retorted that she would dress as she believed was fitting. Madmarov claims that after this the prison staff decided to show Boltobayeva "who is boss here".

Meanwhile in another court case now underway elsewhere, international attention appears to have delayed the sentencing of a teacher of Islam, Mannobjon Rahmatullaev. He went on trial at Andijan regional court in Uzbekistan's section of the Fergana valley after being illegally kidnapped in Russia, almost certainly by Uzbek special forces, and transferred to his homeland. Lutfulo Shamsuddinov, a local human rights activist, told Forum 18 from Andijan on 19 January that Rahmatullaev's sentence was due to be announced that day but, despite expectations, the final court hearing had not taken place.

"After reports from the Memorial human rights group, journalists from the BBC and from Radio Liberty attended the court, while the US embassy, the British embassy and Human Rights Watch started to take an interest in Rahmatullaev's case," Shamsuddinov reported. "Such wide publicity came as a real shock to the local authorities."

He said that before the journalists' arrival, the procuracy was demanding that Rahmatullaev be sentenced to 18 years' imprisonment. "The judge would most likely have agreed, but in the new circumstances, the authorities have clearly decided to take time out and

are now trying to work out how to restore Uzbekistan's image in the eyes of the world community."

Rahmatullaev is being tried under numerous articles of Uzbekistan's criminal code: Article 155 part 3 (b) (terrorism), Article 156 part 2 (d) (inciting national or religious hatred), Article 159 part 4 (undermining the constitution), Article 223 part 2 (b) (unlawfully crossing the border), Article 242 parts 1 and 2 (organising a criminal society), Article 244-1 part 2 (distributing documents containing a threat to social safety) and Article 248 part 3 (unlawful possession of firearms).

Rahmatullaev had been permanently resident in the town of Marx in Russia's Saratov region since 1995, where he worked as an Arabic language teacher at the local mosque. In 1998, Uzbekistan applied for his extradition under Article 223 part 1 of the Uzbek criminal code, which punishes unlawfully leaving the country (the authorities claim he left the country illegally in 1992 to go on the haj pilgrimage to Mecca).

On 2 October 2002, Rahmatullaev was arrested by Russian special forces, but on 26 November 2002 Saratov regional court found that the decision by Russia's general procuracy that he should be extradited was unlawful. The Uzbek authorities then levelled further accusations against the prisoner, which the Russian authorities found to be unsubstantiated. In October 2003, Rahmatullaev was freed, and his extradition was turned down by Russia's general procuracy.

On 21 June 2004, Rahmatullaev was abducted from his home in Marx by unidentified masked men and taken to Uzbekistan without the agreement of the Russian authorities. Vitali Ponomarev, director of the Central Asian human rights programme at the Moscow-based Memorial organisation, argues that the trial against Rahmatullaev now underway proves that Uzbek special forces were responsible for the abduction. (END)

For 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>

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY