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UZBEKISTAN: Illegally kidnapped Muslim jailed

By Igor Rotar, Forum 18

An Uzbek former teacher of Arabic in a Russian mosque, kidnapped in 2004 and illegally taken to Uzbekistan without the consent of the Russian authorities, has been given a lengthy prison sentence on a wide range of terrorist-related charges, which his lawyer told Forum 18 News Service are "absurd". Mannobjon Rahmatullaev was sentenced to 16 years' imprisonment on 20 January, his lawyer telling Forum 18 that only one offence, under article 223 (illegal exit abroad or illegal entry), when he travelled on the haj pilgrimage to Mecca in 1992. The imam-hatyb of the Saratov central mosque, Mukadas Bibarsov, where Rahmatullev worked, said he had been "shocked" by his colleague's abduction. "If Rahmatullaev had really been involved in politics then I would have been in favour of his deportation from Russia," Bibarsov told Forum 18 from Saratov on 17 February. "I knew this man well and I can testify that he was an honest faithful Muslim who never committed any crime."

A former teacher of Arabic in a mosque in Russia's Volga region who was kidnapped in 2004 and illegally returned to his Uzbek homeland – almost certainly by the Uzbek secret police - has been given a lengthy prison sentence on a wide range of terrorist-related charges which his lawyer told Forum 18 News Service are "absurd". Mannobjon Rahmatullaev was sentenced to 16 years' imprisonment on 20 January by the regional criminal court in Andijan [Andijon], in the Uzbek part of the staunchly Muslim Fergana [Farghona] valley.

The sentence was imposed for breaking the following articles of the Uzbek Criminal Code: 155 (terrorism), 156 (incitement of national, racial or religious enmity), 159 (undermining the constitutional order), 223 (illegal exit abroad or illegal entry into Uzbekistan), 242 (organisation of a criminal conspiracy), 244-1 (preparation or distribution of materials containing a threat to social security and social order), 244-2 (creation of, leadership of or participation in religious extremist, separatist, fundamentalist or other banned organisations) and 248 (illegal possession of weapons, military supplies, explosives or explosive devices).

However, Abdukahor Usmanov, Rahmutullayev's lawyer, claims that his client in fact committed only one offence, under article 223 (illegal exit abroad or illegal entry into Uzbekistan), when he travelled on the haj pilgrimage to Mecca in 1992. "Rahmatullaev himself admitted that he travelled to Saudi Arabia illegally," Usmanov told Forum18. "However, according to article 64 of the Uzbek Criminal Code, a person who has committed an offence under article 223 is freed from criminal responsibility if five years have passed since the offence was committed. So Rahmatullaev should have been freed of responsibility under the statute of limitations." In Usmanov's view, all the other charges against Rahmatullaev are "simply absurd".

Rahmatullaev, an Uzbek citizen, had lived since 1995 in the Russian town of Marx, in the Saratov region. In 2003, the Procuracy General of the Russian Federation turned down an Uzbek request for his extradition, but he was abducted from his home the following year and taken to Uzbekistan without the consent of the Russian authorities.

"Rahmatullaev was indeed abducted," his lawyer in Saratov, Rustam Hametov, told Forum 18 from the town on 17 February. "We have established that he was not checked in as a passenger at Saratov airport. I presume that he was simply injected with some narcotic and illegally taken out of the Russian Federation without the knowledge of the border guards." The Saratov regional procuracy opened a criminal investigation into Rahmatullaev's abduction, but the case was closed as it was impossible to identify the abductors (see F18News 21 January 2005 http://www.forum18.org/Archive.php?article_id=495).

The imam-hatyb of the Saratov central mosque, Mukadas Bibarsov, where Rahmatullev worked as an Arabic teacher, said he had been "shocked" by his colleague's abduction. "If Rahmatullaev had really been involved in politics then I would have been in favour of his deportation from Russia," Bibarsov told Forum 18 from Saratov on 17 February. "I knew this man well and I can testify that he was an honest faithful Muslim who never committed any crime."

The lawyer Usmanov emphasised to Forum 18 that his client's religious convictions were seen as incriminating. Rahmatullaev was accused of taking lessons in 1985 from Hakim kori Vasiyev, in Margelan in the Fergana valley, and also of studying at the medresseh with Abduvali Mirzoyev. Mirzoyev and Vasiyev are unofficially considered in Uzbekistan to be the ideologists of Wahhabism, a movement in Saudi Arabian Islam. This is a label widely and indiscriminately used in Central Asia for Islamic radicals and Muslims who refuse to attend official mosques and even for Jehovah's Witnesses by some Uzbek officials.

Mirzoyev and Vasiyev indeed used elements of Wahhabism in their sermons, in particular preaching against veneration of mazars (tombs) and against extravagant weddings and funerals, although generally they followed the tenets of the Islam traditional in Uzbekistan.

In 1995, Abduvali Mirzoyev, who was the imam of the central mosque in Andijan, disappeared while boarding a plane at Tashkent airport. Most human rights observers believe he was abducted by the Uzbek secret police. Hakim kori Vasiyev, who is almost 100 years old, has not been arrested - possibly because of his age - and continues to live in Margelan. "At the trial Rahmatullaev was repeatedly accused of being a follower of Wahhabism," Usmanov told Forum 18. "However, I cannot understand how a person can be accused of studying 20 years ago under a man who has never himself been prosecuted!"

Usmanov also stated that crucial to Rahmatullaev's conviction was the testimony of his brother, Abduhoshim Alimov, who admitted to investigators that 19 bullets and part of an explosive device, which were found in his home and car on 3 May 2001, were left for safe-keeping by his brother Mannobjon Rahmatullaev back in 1992. Rahmatullaev categorically denied that he had ever had such materials, or had ever left them with his brother for safe-keeping. "Abduhoshim Alimov should not be condemned," human rights activist Lutfullo Shamsudinov told Forum 18 in Andijan on 4 February. "He simply succumbed to pressure from the investigators, fearing that if he did not sign the witness statement he and his sons would themselves end up behind bars."

When Forum 18 met Abduhoshim Alimov in Andijan on 4 February, he categorically refused to discuss his brother's case. However, Alimov did confirm that he was not present when the police discovered the bullets and explosive device. "I did not know what was in the package left by my brother," he told Forum 18. "However, the police said that they had found bullets and an explosive device in it." (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>

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