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UZBEKISTAN: Imam and congregation jailed for being Muslims

By Igor Rotar, Forum 18

The imam of a mosque in southern Uzbekistan, Rustam Klichev, has been sent to jail for 14 years, and 16 of the same mosque's congregation have been given similar long jail sentences. Even though the accused were sentenced on terrorism charges, "the judge, Homid Babakulov, simply asked the accused how they observed religious rituals, and what precisely my son had told them about the teachings of Islam," Forum 18 News Service was told by the imam's mother. The imam's wife insisted to Forum 18 in May that, when he was arrested, the NSS secret police planted a leaflet claimed to have been issued by an alleged radical Islamic organisation. The imam has great authority amongst Muslims in the region, which is thought to be the reason for his trial. The head of the government's committee for religious affairs, Shoazim Minovarov, told Forum 18 that he knew nothing about the case and therefore could not make any comment.

Rustam Klichev, the imam of the central Navo mosque in the southern Uzbek town of Karshi (Qarshi), was sentenced to 14 years' imprisonment on terrorism charges on 20 October, while 16 of the same mosque's congregation were given similar long sentences. "It is quite evident that neither Rustam Klichev nor the members of his congregation who were found guilty were terrorists," local human rights activist Tulkun Karayev told Forum 18 News Service from Karshi on 28 October. "The only 'crime' of these people was that of being devout believers." He believes Klichev's preaching led to the authorities' measures to silence him.

Kashkadarya Regional Criminal Court sentenced Klichev under Criminal Code articles 155 (terrorism), 156 (inciting national, racial and religious hatred), 159 (undermining the constitutional basis of the republic of Uzbekistan), 242 (forming criminal groups), 244-1 (composing and distributing documents that present a public threat) and 242-1 (establishing, leading or participating in religious, separatist or fundamentalist organisations).

Also sentenced to between 12 and 16 years' in prison under the same articles were Azamat Holiyarov, Hasan Jumayev, Laziz Vokhidov, Alisher Muminov, Abror Bobokulov, Khayrullo Tursunov, Bobir Akhmedov, Anvar Mamatkulov, twin brothers Hasan and Husan Odilov, Nuriddin Rakhimov, Bekmurod Umarov, Alisher Allayev, Ulugbek Turdiyev, Dilshod Tuichiev and Akbar Jumayev.

Klichev's mother Buston Boltayeva indirectly confirmed that a concrete accusation against her son was that he had taught Islam at the mosque. "My son and his friends were called terrorists in the concluding sentence. But during the legal investigation, which lasted a whole month, the words 'terrorism' and 'undermining the constitutional basis' were never mentioned," she told Forum 18 from Karshi on 28 October. "The judge Homid Babakulov simply asked the accused how they observed religious rituals, and what precisely my son had told them about the teachings of Islam."

Klichev, who is 29, was arrested on 4 April and the NSS secret police then searched his home. The imam's wife Kulpar Rakhimova insisted to Forum 18 back in May that NSS officers planted a leaflet that they later claimed had been issued by an alleged radical Islamic organisation named Jamaat (see F18News 4 June 2004 http://www.forum18.org/Archive.php?article_id=334).

Karayev reported that Imam Klichev has "great authority" among Muslims both in Karshi and in the region. "Even people from distant areas used to come to hear his sermons. It is probably precisely this that needled the authorities, who claim a monopoly on the truth," he told Forum 18. "I'd also point out that although it is not written in the concluding sentence, the judge showed great interest in what precisely the imam had told believers about Islam after his sermons."

Uzbekistan's former chief mufti, Muhamad Sadyk Muhamad Yusuf, told Forum 18 on 20 October that Uzbekistan did not have genuine religious freedom. To support his view, Muhamad Yusuf cited the fact that believers can only be taught about Islam in a medresseh (see F18News 11 May 2004 http://www.forum18.org/Archive.php?article_id=318 and 1 November 2004 http://www.forum18.org/Archive.php?article_id=441).

Speaking to Forum 18 on 2 November, the head of the government's committee for religious affairs Shoazim Minovarov said he knew nothing about the case of Klichev and the members of his congregation and that therefore he could not make any comment.

However, Minovarov categorically denied that only people attending a medresseh can receive a religious education. "It is true that

according to the Uzbek religion law teaching religion in a private capacity is forbidden," he told Forum 18 in the capital Tashkent. "But a person who has specialist religious training and who has been given permission by the muftiate can teach Islam. There are courses being devised at the mosques at which people can study Islam if they wish."

Despite his claims, Minovarov could cite only one course for men in the whole of Uzbekistan - at the Urikzar mosque in Tashkent. "You are questioning me like an investigator, not like a journalist," he complained to Forum 18. "After all, believers can put questions to an imam after the sermon and he has the right to answer them. Even if an imam does not award diplomas to believers, no-one is stopping him from expounding the teachings of Islam to the congregation."

Karayev also told Forum 18 that the trial is still under way at Kashkadarya regional court of 17 devout Muslims from Shakhrisabz, a town 90 kilometres (55 miles) south of Samarkand and 120 kilometres (75 miles) east of Karshi. "The case is very similar to that of Klichev and the members of his congregation," he reported. "People had simply been meeting to reach the Koran and talk about God."

He said that when officials from the criminal investigation department for Shakhrisabz district attended the court hearing on 26 October, the accused said these department officials had beaten them during questioning. However, the officials claimed that they did not know the accused and that this was the first time they had seen them. The accused then began throwing their shoes at them and broke down the barrier that cordoned them off from the courtroom. The court halted proceedings and then, at a hearing the following day, resolved to hear the rest of the case without the participation of the accused.

Forum 18's attempts to find out what court officials thought of the proceedings against those attending the Navo mosque and against the Shakhrisabz Muslims were in vain. On 1 November, Forum 18 repeatedly telephoned the Kashkadarya regional court during working hours, but no-one answered the telephone.

Karayev told Forum 18 that on 20 and 21 October human rights activists from Karshi and around 10 relatives of the accused Muslims held a picket in front of the United Nations Development Program office in the town to protest against what they regard as the unfounded legal proceedings against the Muslims.

On 20 October officers of the NSS and the Interior Ministry who had come to visit the demonstrators promised to reconsider their relatives' cases. However, on 21 October the police forcibly put the demonstrators in a minibus and took them to the city police department with an escort of five police officers. At the police headquarters the police took Karshi human rights activist Nodir Akhadov into another office and started to beat him. The city public prosecutor Hakim Ikramov and head of the Karshi police Safarov questioned the remaining detainees. All those who had taken part in the picket were released at around 1 am on 22 October.

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

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