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UZBEKISTAN: No names, no questions, in latest trials of Muslims

By Igor Rotar, Forum 18

In a trial of 12 Muslims in the Fergana [Farghona] Valley, apparently on trial for being devout, Judge Gozikhon Yakhyakhoyayev has refused to release the names of the accused, telling Forum 18 News Service that "I myself have not yet got to grips with this case, and I feel it is simply too early to give any details to the press." In another trial, of 2 devout Muslims, his colleague Judge Ismailov has been accused by defence lawyers of joining the prosecution in trying to secure convictions, and of not allowing defence lawyers to question witnesses. In both cases, Forum 18 has been told that the ordinary police and NSS secret police have been accused of planting evidence on those accused.

The Judge in the trial of 12 Muslims, apparently on trial for being devout, has refused to allow the names of the accused to be released. Since 10 August the trial has been underway in Namangan, in the centre of the Uzbek part of the devoutly Muslim Fergana [Farghona] Valley), as previously reported by Forum 18 News Service on 10 August (see F18News 16 August 2004 http://www.forum18.org/Archive.php?article_id=395). All the accused are charged with breaches of both Article 159 "undermining the constitutional basis of the republic" and Article 244 (1) "preparing or distributing documents that represent a threat to public safety and order" of Uzbekistan's criminal code.

Local human rights activist Akhmajon Abdullayev told Forum 18 on 10 August that "we do not yet know all the names of the accused, because the judge at Namangan regional court Gozikhon Yakhyakhoyayev will not give us the final indictment. The only thing we know for certain is that all the accused were arrested by the police in January and released within 24 hours, but that immediately after the terrorist attacks in April this year the police and staff from the National Security Service [the secret police] searched their homes and apparently found leaflets issued by the [banned] Hizb ut-Tahrir party (see F18News 4 June 2004 http://www.forum18.org/Archive.php?article_id=334). However, relatives of the accused say that the leaflets had simply been planted and that the only real crime of the accused was that of being fervent Muslim believers." (A description of Hizb ut-Tahrir's aims is in F18News 29 October 2003 http://www.forum18.org/Archive.php?article_id=170).

Judge Gozikhon Yakhyakhoyayev, speaking to Forum 18 from Namangan on 18 August, refused to give the names of the accused and said that "There have only been three legal hearings so far, and I myself have not yet got to grips with this case, and I feel it is simply too early to give any details to the press."

Following the trial of two devout Muslims from Buvaid, 70 kilometres (45 miles) west of Fergana, Akhmatakul Gainazarov and Abdula Kamalov (see F18News 10 August 2004 http://www.forum18.org/Archive.php?article_id=391), lawyers for the accused tried to get the convictions overturned, as Judge Ismailov had joined the prosecution in trying to secure convictions and did not allow defence lawyers to question witnesses, according to Fergana human rights activist Akhmajon Madmarov. However, the head of the regional court for Fergana region rejected the lawyers' challenge and did not overturn the guilty verdict.

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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