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RUSSIA: "It is, in my opinion, religious persecution"

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Russia continues to raid meetings of readers of the works of Muslim theologian Said Nursi in 2011, Forum 18 News Service has found. Azerbaijani national Rashid Abdulov was arrested in Ulyanovsk on 20 January and is still in detention awaiting charge. Other Muslims gathered in the same flat were briefly detained in a raid in which police reportedly used physical violence was used against them, including against children present. Abdulov's lawyer Vladimir Zavilnich told Forum 18 that: "It is, in my opinion, religious persecution, and fits in with the trend of arrests in Novosibirsk and Krasnodar". Abdulov was found to be in possession of materials listed on titles which feature on the Federal List of Extremist Materials, and his lawyer expects him to come to trial in "a maximum of six to nine months, during which time Abdulov will remain in prison". Fellow Nursi reader Bobirjon Tukhtamurodov from Uzbekistan also remains in prison in Russia. This follows an extradition request from his home country and a request he filed to receive refugee status in Russia. Jehovah's Witnesses are also subject to such raids.

Russian authorities continue to raid meetings of readers of the works of Muslim theologian Said Nursi in 2011, Forum 18 News Service has found. Azeri national Rashid Abdulov was arrested in Ulyanovsk on 20 January and is still in detention. Other Muslims gathered in the same flat were briefly detained in a raid in which physical violence was used against them, including against children present. Meanwhile fellow Nursi reader and Uzbek Bobirjon Tukhtamurodov also remains in prison in Russia, arrested in connection with an extradition request from his home country and awaiting news on a request he filed to receive refugee status in Russia.

Jehovah's Witnesses are also subject to such raids. The end of the trial of Aleksandr Kalistratov, the first Jehovah's Witness to face criminal charges for possession of extremist materials, which started in October 2010, has been further delayed (see F18News 1 December 2010 http://www.forum18.org/Archive.php?article_id=1516). Court proceedings are expected to recommence later in February (see F18News 11 February 2011 http://www.forum18.org/Archive.php?article_id=1539).

"It is, in my opinion, religious persecution"

Abdulov's lawyer Vladimir Zavilnich told Forum 18 by phone on 24 January that: "It is, in my opinion, religious persecution, and fits in with the trend of arrests in Novosibirsk and Krasnodar". The raid took place in Ulyanovsk on the evening of 20 January, and Abdulov was found to be in possession of materials listed on titles which feature on the Federal List of Extremist Materials.

Zavilnich told Forum 18 that Abdulov had 14 brochures which were on the List of Extremist Materials. He met his client shortly after his arrest, and said that Abdulov seemed healthy and well.

Under the Extremism Law, mass distribution, preparation, or storage with the aim of mass distribution, of books on the List may result in prosecution under Criminal Code Article 282 (Incitement of hatred [nenavist] or enmity [vrazhda], as well as the humiliation of human dignity"). This carries a maximum punishment of two years' imprisonment. However, the Law does at least formally allow possession of the books. The authorities may instead choose to prosecute under Article 20.29 of the Administrative Violations Code ("production and distribution of extremist material"), whose penalties range from a fine to up to 15 days' detention (See the commentary on Criminal Code Article 282 and the Extremism Law at http://www.forum18.org/Archive.php?article_id=1468).

In May 2007, Russian translations of Said Nursi's "Risale-i Nur" ("Messages of Light") multi-volume Koranic commentary were outlawed by Moscow's Koptevo District Court (see F18News 27 June 2007 http://www.forum18.org/Archive.php?article_id=981). Any court in Russia can rule a text extremist. When it is added to the Federal List of Extremist Materials, the text is then illegal throughout the country. Nurdzhular - a supposedly pro-Nursi organization, which Nursi readers have denied exists - was then banned as an extremist organisation by Russia's Supreme Court in April 2008 (see F18News 29 May 2008 http://www.forum18.org/Archive.php?article_id=1136).

The Azerbaijani diaspora has been permitted to bring Abdulov food and clothes, and Zavilnich has offered to bring any medicines he may need to the prison.

Zavilnich said that prosecutors are now examining materials confiscated from Abdulov and preparing a case against him, a process which could take two months, but is likely to take longer. "It should take a maximum of six to nine months, during which time Abdulov will remain in prison," the lawyer said.

No comment

The Ulyanovsk local government Ombudsman for Human Rights told Forum 18 on 31 January that they are not involved in the case, and have not been contacted by Abdulov or any of his representatives.

Ulyanovsk police refused to comment on the investigation thus far. Speaking to Forum 18 on 24 January, a spokesperson said that they would make no comment to the press until evidence gathered during the raid has been analysed and a case against Abdulov prepared.

Abdulov's lawyer, Vladimir Zavalinich, believes his client was detained primarily because of his citizenship. "The only reason why he was arrested is because he is not a Russian citizen. He is registered in the Moscow region, but he is a citizen of Azerbaijan," he told Forum 18.

An eyewitness account of the raid, seen by Forum 18 alleges that an investigator said to some members of the group, knowing that they were not Russian citizens "What are you doing in Russia? Go back to your own country!" The eye witness continues that Rashid Abdulov was originally accused of failing to register properly in the city, then that his car showed traces of criminal activity and finally of organising extremist activity.

Forum 18 has from late January asked the Federal Security Service (FSB) in Ulyanovsk by phone and e-mail for confirmation or denial that Abdulov has been particularly targeted because of his citizenship. However there has not been any answer to these requests.

"Everybody down! Face the floor!"

Another eyewitness account of the Ulyanovsk raid describes around 30 masked and armed police officers breaking up a gathering, and using physical violence against the group, while searching for evidence of extremism. This statement referred to states that the Muslims had gathered in the evening to discuss their faith and support a friend who had recently undergone an operation. Some of the sick man's acquaintances from the mosque in Ulyanovsk were in attendance.

"The doorbell rang and when we opened the door, armed, masked men shouted "Everybody down! Face the floor," before using physical force to push people to the ground," the statement reads.

Three children were reportedly among the group, aged from nine to 14. "They pulled a young, 15 year old boy out of the cupboard in which he was hiding in fear. They hit him a few times, and his nose started to bleed," the statement continues, "Without showing any documents or offering any explanations they asked 'Are there any weapons, narcotics, illegal items etc. here?'"

The sick man was also treated roughly and when officers were asked to free the man, whose condition was serious, their request was refused.

The group's mobile phones were confiscated and they were taken to an unknown location, later revealed to be the Investigation Department of the FSB security service building. "There we were told that any movement would be considered an attempt to escape. They made the men stand facing the wall and ordered them not to move. They remained in this position for about three hours," the witness statement reads.

Each member of the group was then questioned individually about their prayer and reading habits, their views on Turkish theologian Said Nursi and whether they are members of the banned group Nurdzhular. The authorities did not tell the group before questioning they would have to sign a statement saying they did not object to night-time questioning, but reportedly forced them to sign the document in the morning.

The group was then told that Abdulov was being taken to a temporary detention centre where he will remain until his trial. During the group's detention, the flat was searched, computers and memory sticks as well as notepads were seized and the premises ransacked. "They showed an extreme lack of respect for holy books. In particular, they put the Holy Koran on the floor", the statement reads.

Growing trend

Officials have repeatedly refused to explain why and by whom the widespread state actions against Jehovah's Witnesses and readers of the works of Muslim theologian Said Nursi were initiated (see F18News 12 August 2010 http://www.forum18.org/Archive.php?article_id=1478).

The arrest in Ulyanovsk follows the arrest and conviction of other Muslims in possession of the works of Said Nursi in Russia in the last year. The first to be convicted was Ilham Islamlı, who was given a suspended sentence of ten months detention by the Nizhny Novgorod District Court in August 2010 (See F18News 26 August 2010 http://www.forum18.org/Archive.php?article_id=1480).

Targeting foreigners?

Abdulov is not the only Nursi reader with foreign citizenship to have been detained in Russia. Still being held in Novosibirsk's Investigation Prison No. 1 is Bobirjon Tukhtamurodov, a Nursi reader who faces extradition to his native Uzbekistan, his lawyer Igor Khryachkov told Forum 18 from Novosibirsk on 31 January 2011. Tukhtamurodov was arrested in Novosibirsk in August 2010 after the Russian authorities received an extradition request from Uzbekistan. His supporters fear he will be sentenced there to a long prison term for his faith, as has happened to one of his brothers (see F18News 22 September 2010 http://www.forum18.org/Archive.php?article_id=1490).

Khryachkov said that the General Prosecutor's Office in Moscow ruled on 25 November 2010 that Tukhtamurodov should be extradited to Uzbekistan, though he did not learn of this until 2 December. Such rulings do not usually give any reasons for their decision. The lawyer lodged a legal challenge to the ruling in late December 2010 to Novosibirsk Regional Court. He expects the case to be heard in February 2011, although no date has yet been set.

"My client applied to the Migration Service for refugee status in Russia," Khryachkov told Forum 18. "Yet this wasn't even considered, even though the law says it must be. I believe it is unlawful to extradite an individual before their asylum claim has been considered."

Yelena Ryabinina, Head of the Right to Asylum Programme of the Moscow-based Human Rights Institute, who has backed Tukhtamurodov, fears the Regional Court will reject his case. "If that happens, we will lodge simultaneous appeals locally and to the European Court of Human Rights in Strasbourg," she told Forum 18 from Moscow on 31 December 2010.

She said that only on 10 December 2010, after a two and a half-month delay, the Migration Service considered Tukhtamurodov's application for refugee status. The time period for such applications to be considered is three months. "I am sure this decision too will be negative," Ryabinina told Forum 18. "But we're not going to be put off and we will use what possibilities we have. Recent rulings in extradition cases from Russia's Supreme Court have been excellent, and we would very much like to hope that this represents not an aberration but a principled position on the part of the Supreme Court." (END)

For more background, see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1196.

Analysis of the background to Russian policy on "religious extremism" is available in two articles: - 'How the battle with "religious extremism" began' (F18News 27 April 2009 http://www.forum18.org/Archive.php?article_id=1287 - and - 'The battle with "religious extremism" - a return to past methods?' (F18News 28 April 2009 http://www.forum18.org/Archive.php?article_id=1288).

A personal commentary by Irina Budkina, Editor of the <http://www.samstar.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, is at F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

A personal commentary by Alexander Verkhovsky, Director of the SOVA Center for Information and Analysis <http://www.sova-center.ru>, about the systemic problems of Russian anti-extremism legislation, is at F18News 19 July 2010 http://www.forum18.org/Archive.php?article_id=1468.

Reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Russia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>.

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