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RUSSIA: Muslims reject Hizb ut-Tahrir membership charges

By Geraldine Fagan, Forum 18 (<https://www.forum18.org>)

Many of the 46 Muslims convicted of membership of Hizb ut-Tahrir – a party which claims to reject violence, but which is banned in Russia – have denied that they are members of the organisation, Forum 18 News Service has noted. Mars Gayanov, for example, maintains that an official account of a police conversation, which he signed, "was substituted for one in which I said I belonged to Hizb ut-Tahrir." He stated that his family was targeted simply because "we are serious Muslims – our women wear the hijab, we don't drink alcohol, we are trying to live in accordance with Islam." Vitali Ponomarev of human rights group Memorial told Forum 18 that after the Beslan school siege "there was a need to find terrorists" and that, as the only large Muslim political organisation with a definable membership, Hizb ut-Tahrir "filled a vacuum." However, Georgi Engelhardt, a researcher into militant Islam at the Russian Academy of Sciences, told Forum 18 that it was not possible to say whether evidence was planted: "The rumours about the reputation of the police remain rumours."

To date 46 Muslims – 29 of whom are in prison – have been convicted by Russian courts for membership of Hizb ut-Tahrir, Yelena Ryabinina of the Moscow-based Civil Assistance Committee told a 28 February 2006 press conference in the Russian capital.

A self-styled international Islamic political party that claims to reject violence, Hizb ut-Tahrir has had many of its members imprisoned in Central Asia (see F18News 29 October 2003 http://www.forum18.org/Archive.php?article_id=170 and 16 February 2004 http://www.forum18.org/Archive.php?article_id=253).

Forum 18 notes the presence in Hizb ut-Tahrir publications of violently antisemitic views, and its denial of key human rights including religious freedom (see F18News 10 April http://www.forum18.org/Archive.php?article_id=755).

Hizb ut-Tahrir was controversially banned as a terrorist organisation by a February 2003 closed session of Russia's Supreme Court (see F18News 10 April 2006 http://www.forum18.org/Archive.php?article_id=755 and http://www.forum18.org/Archive.php?article_id=756). In the wake of that decision, some of those charged with Hizb ut-Tahrir membership have maintained that they are being persecuted for their Islamic beliefs by the Russian authorities.

One of the only non-state representatives to have closely followed the various prosecutions for membership of Hizb ut-Tahrir, Vitali Ponomarev of Memorial Human Rights Centre told Forum 18 on 23 January that he does not differentiate between those who are rightly and wrongly accused of belonging to the organisation, since he considers its aims to be "utopian" and "purely theoretical" (see F18News 10 April 2006 http://www.forum18.org/Archive.php?article_id=755).

Convicted of "organisation of a criminal community" (Article 210 of the Criminal Code), Marsel Alibayev, Musa Akhmetsafin, Rinat Gabdrakhmanov, Bulat Gayanov, Salavat Gayanov, Mars Gayanov, Ilgiz Gumerov, Vitali Ryadinsky and Yevgeni Savelyev were given prison sentences of up to eight years by the Supreme Court of Bashkortostan on 4 August 2005, following mass arrests of suspected Hizb ut-Tahrir members in the republic late the previous year. On 15 December 2004 Interfax news agency reported the discovery of weaponry, ammunition and "over 500 leaflets of an agitprop nature, books and brochures with extremist content" at their homes and workplaces during the large-scale police operation.

A statement from local residents posted on the Islam.ru website on 3 February 2005, however, claimed: "We know these guys well – what they are doing is explaining Islam to people. Article 28 of the Russian Constitution guarantees us citizens the right to profess any religion or none, to unite in a group, to disseminate and act in accordance with our religious convictions. So where is this right of ours?" In a 5 August 2005 statement the Civil Assistance Committee claimed the weaponry and ammunition to have been planted in the case of at least six of the accused.

At a Moscow press conference on 31 October 2005, 54-year-old Mars Gayanov, who was given the most lenient sentence, a four-and-a-half-year suspended jail term, maintained that "neither I nor my two sons were ever in Hizb ut-Tahrir." He described how police seized Islamic literature from the family's village home on 14 November 2005, as well as detonators found in a sack near his fence and later established by the court as not belonging to him. Initially, said Gayanov, he was questioned by police for several hours "about all sorts of things" and signed an officer's account of the conversation as "there was nothing criminal in there." Later, however, the second page of this account "was substituted for one in which I said I belonged to Hizb ut-Tahrir," he maintained. In

January 2005, according to Gayanov, he was also beaten while in custody with the aim of "trying to get me to say I was the head of a Hizb ut-Tahrir cell." He believes his family was targeted simply because "we are serious Muslims – our women wear the hijab, we don't drink alcohol, we are trying to live in accordance with Islam."

As Russian state television news reported from Bashkortostan on 15 December 2004, however, "investigators are convinced that members of the organisation [Hizb ut-Tahrir] were planning military operations at underground meetings." The news item showed FSB security service operational footage of the purported discovery of grenades, ammunition and extremist literature at the homes of the suspected Hizb ut-Tahrir members, while local FSB chief Igor Chernokov told viewers that "all this gives grounds to suppose that the participants in the organisation were preparing to conduct terrorist acts on the territory of the republic." Russia's Supreme Court failed to find any irregularities in the convictions, upholding all nine on 3 November 2005.

Following another long-running case in Tobolsk City Court (Tyumen region), Judge Mariya Yaroslavtseva on 3 October 2005 convicted alleged Hizb ut-Tahrir members Marat Saibalatov, Dmitri Petrichenko, Rail Valitov, Alisher Dzhurayev and Azat Shikhov of encouragement and support for terrorist crimes, as well as organisation of extremist activity (Articles 205-1 and 282-2 of the Criminal Code). They were given punishments of up to six years' imprisonment. As reported in Kommersant national daily the following day, Tobolsk public prosecutor's office argued that the young Muslims were "engaged in the study and distribution of extremist literature and recruitment to a banned organisation, as well as the dissemination of extremist sentiments among the public." Prosecutor's assistant Yuliya Zlobin commented to the newspaper that the court had "taken into account and examined all the evidence and pronounced a just verdict, confirming practically all the prosecution's arguments."

The accused, however, maintained that they had only been "reading Islamic literature and corresponding with like-minded people via the Internet," and that investigators had tried to pressurise them into admitting criminal acts. In a statement published by Portal-Credo religious affairs website on 26 December 2005, Isin Aziz, the sixth accused – who, as a minor, was fined 25,000 roubles rather than imprisoned - admitted membership of Hizb ut-Tahrir, but claimed that the law enforcement agencies were using terrorism and extremism laws "to suppress Muslims they don't like." As reported by Kommersant at the close of the trial, however, FSB security service officers told the court that they had not placed any pressure whatsoever upon the accused.

On 16 January 2006 Tobolsk Regional Court rejected an appeal against the six convictions. On 3 March Interfax reported that additional criminal cases had been opened against three witnesses in the trial for knowingly giving false evidence. According to the news agency's report, the three changed their original statements in the courtroom, claiming that they had been given under duress. Tobolsk public prosecutor Yevgeni Kurmayev nevertheless commented that "the court was guided by their testimony during the investigation, so there was every basis [to open a criminal case against them]."

Particularly notable in this and several other cases is that the alleged Hizb ut-Tahrir members were convicted of criminal offences largely or solely upon the basis of literary evidence (see F18News 20 April 2006 http://www.forum18.org/Archive.php?article_id=765).

Asked on 23 January why the state authorities have sought to prosecute Hizb ut-Tahrir membership in this way, Vitali Ponomarev of Memorial Human Rights Centre pointed out to Forum 18 that the wave of cases began in the wake of the September 2004 Beslan school siege: "There was a need to find terrorists, to give an account to superiors, and this is easier than looking for people." He also explained that, as the only large Muslim political organisation in Russia with a definable membership, Hizb ut-Tahrir "filled a vacuum."

In an interview with Forum 18 in Saratov in June 2005 Mukaddas Bibarsov, who heads the Volga Region Spiritual Directorate of Muslims and is co-chairman of Russia's Council of Muftis, also expressed doubt about the wave of arrests following the 2003 Supreme Court decision. He pointed out that crimes such as murder and theft "need brains, effort, specialists and connections to solve, but this is very easy indeed to do – and you get rewarded."

Georgi Engelhardt, a researcher into militant Islam at the Russian Academy of Sciences, pointed out to Forum 18 on 24 January that observers could not possibly determine whether evidence was planted in cases of alleged Hizb ut-Tahrir membership, however: "The rumours about the reputation of the police remain rumours." (END)

For a personal commentary by an Old Believer about continuing denial of equality to Russia's religious minorities see F18News http://www.forum18.org/Archive.php?article_id=570

For more background see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=509

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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