

Memorial recognizes 23 Muslims from Bashkortostan as political prisoners

Memorial Human Rights Centre considers the following residents of Bashkortostan, who are Muslims, to be political prisoners: **Rustem Latypov, Linar Vakhitov, Radik Akhmetov, Fanis Akhmetshin, Rustem Gallyamov, Rishat Gataullin, Ilgiz Gimaletdinov, Azamat Kaiumov, Aleksandr Kornev, Radmir Maksutov, Rinat Mamaev, Farid Mustafaev, Khalil Mustafin, Rinat Nurlygayanov, Artur Salimov, Irek Tagirov, Aramis Fazylov, Danis Faizrakhmanov, Rafael Fattakhov, Ruslan Fattakhov, Rustem Khamzin, Shamil Sharipov and Ural Yakupov.**

All of the defendants were detained in February 2015 on charges of taking part in the activities of Hizb ut-Tahrir, an organization designated as terrorist in Russia.

In February 2015 these individuals were all detained and charged under Article 205.5 (Section 2) (participation in the activities of an organization designated as terrorist) of the Criminal Code of the Russian Federation, and after one year (the maximum period for pre-trial detention under this Article) all, except three who pleaded guilty, were charged in addition under Article 30 (Section 1) and Article 278 (preparing to seize power by force) of the Criminal Code of the Russian Federation.

The three who pleaded guilty were later placed under house arrest, while three others are being sought.

The prosecution accuses all defendants in the case, in circumstances not yet established, of having intentionally entered a cell of the Islamic Party of Liberation (Hizb ut-Tahrir al-Islami) in Ufa, with the goal of removing non-Islamic governments and setting up the world wide rule of a theocratic unitary state, the Universal Islamic Caliphate, initially in regions with a majority Islamic population, including the Russian Federation and countries of the Commonwealth of Independent States (CIS). According to the prosecution, the defendants, knowing for a fact that this organization had been designated as a terrorist organization and that it had been banned on the territory of the Russian Federation, ‘intentionally took part in the activities of the cell’ of this organization.

Furthermore, all except three of the defendants, in the opinion of the prosecution, ‘acting in the interests of the terrorist cell, carried out covert, anti-Russian, anti-Constitutional activities by disseminating propaganda among the population, seeking to persuade residents of the Republic of Bashkortostan to take part in the activities of the said organization.’

We consider all those charged to be innocent, since in the materials of the case Hizb ut-Tahrir al-Islami is referred to as an ‘international terrorist organization’, and it was as such that the Supreme Court of the Russian Federation banned the organization in its decision of 4 February 2003. However, neither in the decision of the Supreme Court banning Hizb ut-Tahrir, nor in the materials of the criminal cases prosecuted in Russia and the countries of the CIS, are there any concrete facts witnessing to the terrorist nature of the organization, or to any other kind of violent activity for which it is responsible.

Despite the fact that Hizb ut-Tahrir does not share the ideas of democracy and human rights, in the democratic states of Western Europe and North America no criminal prosecutions have been brought with regard to membership of the organization. Only in Germany is there an administrative ban on the activities of the organization, but this is not related to accusations of terrorism. Neither is there evidence that Hizb ut-Tahrir takes part in jihadist groups in Europe or the Middle East; moreover, the organization is criticized by radicals for ‘avoiding jihad.’

The decision of the Supreme Court to recognize the organization as terrorist was taken in blatant violation of the fundamental principles of law, something noted, in particular, by the European Court of Human Rights.

The prosecution argues for the guilt of all those charged with preparing a violent seizure of power on the basis of actions that are either legal or not punishable under the law (dissemination of theological views that create among believers tendentious thinking, participation in assemblies and rallies in support of people arrested, and so on) together with

distortions and groundless interpretations of the doctrines of Hizb ut-Tahrir that describe religious views of an indeterminate future.

This group did not possess fire arms or explosives, and did not try to obtain them. No weapons were confiscated in the course of the investigations. Neither did the defendants have any plans to seize state power on the territory of the Russian Federation, or a part of it, plans to attack government institutions or stable external funding.

On the basis of the above, we believe that the decision to remand all the defendants in custody was taken exclusively on the basis of their religious beliefs, because of the non-violent exercise of freedom of expression and opinion, freedom of conscience and religion, and freedom of peaceful assembly and association, guaranteed by the International Covenant on Civil and Political Rights and the European Convention on Human Rights and Fundamental Freedoms. Moreover, deprivation of liberty was applied in violation of the right to fair trial and in the absence of a crime on the basis of a political motivation by the authorities seeking to put an end to the public activity of a number of the defendants. Latypov is a well-known human rights defender, a member of the Public Oversight Commission of the Republic of Bashkortostan, while Vakhitov worked publicly to defend the rights of Muslims.

For these reasons Memorial Human Rights Centre finds Rustem Latypov, Linar Vakhitov, Radik Akhmetov, Fanis Akhmetshin, Rustem Gallyamov, Rishat Gataullin, Ilgiz Gimaletdinov, Azamat Kaiumov, Aleksandr Kornev, Radmir Maksutov, Rinat Mamaev, Farid Mustafaev, Khalil Mustafin, Rinat Nurlygayanov, Artur Salimov, Irek Tagirov, Aramis Fazylov, Danis Faizrakhmanov, Rafael Fattakhov, Ruslan Fattakhov, Rustem Khamzin, Shamil Sharipov and Ural Yakupov to be political prisoners. We believe that their criminal prosecution must be immediately ended, and they must be released from detention and house arrest.

Recognition of a person as a political prisoner, or as a victim of a politically-motivated prosecution, does not mean that Memorial Human Rights Centre agrees with their views or statements, or approves of their statements or actions.

More information about the [position of Memorial Human Rights Centre](#) and the circumstances of this case (in Russian).

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