

Memorial recognizes eight people from Bashkortostan convicted in the Hizb ut-Tahrir case as political prisoners

Memorial Human Rights Centre considers residents of the town of Diurtiuli in the Republic of Bashkortostan, convicted on charges of membership of the Islamic organization Hizb ut-Tahrir,* which is banned in Russia, as political prisoners. The eight people convicted are: Il'giz Salakhov, Shamil Khusniyarov, Il'shat Salimov, Gazim Kutluyarov, Ruslan Asylov, Rustam Galimkhanov, Rustam Gabdullin, Aidar Faizullin.

Moscow District Military Court sentenced Salakhov, who the prosecution considered to be the leader of the cell, to 10 years 6 months in a strict regime penal colony under Article 205.5, Section 1 (organization of the activities of an organization that has been found to be terrorist under Russian law) and Article 282.2, Section 1 (organization of the activities of an extremist organization) of the Criminal Code of the Russian Federation.

The other defendants were sentenced to terms of from 5 years and 2 months to 6 years and 6 months in a general regime penal colony under the second parts of the same Articles of the Russian Criminal Code, in other words for taking part in an extremist and a terrorist organization respectively.

We have repeatedly expressed disagreement with the position of the Supreme Court that has recognized Hizb ut-Tahrir as a terrorist organization. There is no evidence that this grouping, acting in the form of a political party in the Middle East, is associated even with a single terrorist act. In the countries of Western Europe and North America the party is not banned (with the exception of Germany, where there is a ban under administrative law, but not under criminal law. This organization was never ruled to be extremist in Russia, its members did not incite violence or violations of the law (with the possible exception of membership itself in the organization that was banned by a dubious court decision).

The activities of those convicted, as literally written in the judgment, amounted to the reading and discussion of religious literature and news, and drinking tea together.

We would point out that two different articles of the Criminal Code were applied to one and the same act: the court artificially divided the period of the alleged violation into two temporal divisions – before the appearance of Article 205.5 in the Criminal Code in December 2013 and afterwards. The investigation impermissibly applied this article to actions that began in 2011-2012, and the court legitimized this violation, ruling that up to December 2013 the actions of the defendants were to be considered under Article 282.2 of the Criminal Code, and after that date under Article 205.5. In this way the constitutional ban on twice being punished for one and the same crime was violated. At the same time the period of punishment under the article on terrorism for all the defendants was 10-12 times greater, than under the article on extremism.

We consider that the defendants in the 'Diurtiuli' case have committed no crime, and we demand their release.

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 this case can be read on the [website](#) of Memorial Human Rights Centre.

PayPal – an e-wallet for giving help to all Russian political prisoners helppoliticalprisoners@gmail.com.

**The organization has been ruled by the Supreme Court of the Russian Federation to be a terrorist organization and is banned in Russia. Memorial does not agree with this court decision.*