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UZBEKISTAN: Police raid, torture, steal and plant drugs

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

Police in Uzbekistan's capital Tashkent raided a Protestant worship meeting on 8 November, detaining and torturing members of the group and their nursing children, Forum 18 News Service has learned. Police also stole money and confiscated a large amount of Christian literature, as well as personal property including computers and other electronic devices. Jehovah's Witnesses in the central Samarkand Region have also been raided and fined, some also being put on 2 years' probation on fabricated drugs charges, for meeting together for worship. Police also confiscated religious literature and the private property, including computers and mobile phones, of some present. Female Witnesses were threatened with rape and tortured. Contrary to Uzbekistan's international human rights obligations, the police torturers were apparently neither arrested nor prosecuted for their actions. Instead, the police's victims were convicted of exercising freedom of religion or belief and fined. The human rights Ombudsperson's Office has said it cannot investigate these human rights violations.

Police in Uzbekistan's capital Tashkent raided a Protestant worship meeting on 8 November and detained and tortured members of the group and their nursing children, Forum 18 News Service has learned. Police also confiscated a large amount of Christian literature as well as personal property including computers and other electronic devices. The police victims were subsequently convicted of exercising freedom of religion or belief and fined.

Jehovah's Witnesses in the central Samarkand [Samarqand] Region have also been raided and fined, some on fabricated drugs charges, for meeting together for worship. Police also confiscated a large amount of religious literature and private property, including computers and mobile phones, from those present. Subsequently, two female Jehovah's Witnesses were arrested on the street and then tortured.

Contrary to Uzbekistan's international human rights obligations, the police torturers were apparently neither arrested nor prosecuted for their actions.

Tashkent raid

The Tashkent raid was sparked by the headteacher of a school in Tashkent's Yashnobod District telling the District Police that two pupils, who are anonymous for fear of state reprisals, were sharing their beliefs with fellow-pupils, local Protestants told Forum 18 on 13 November. The two "came to a Protestant meeting only twice and shared the good news on their own initiative". After the headteacher contacted police, the pupils allegedly wrote statements against Sarvarjon Zhuliyev, a local Protestant, on 5 November in Yashnobod Police Station. On 8 November they accompanied police on the raid.

Police in Uzbekistan have previously pressured children who wish to attend a place of worship into writing such statements, and have also confiscated written consent letters of parents allowing their children and young people to attend a church (see eg. F18News 5 December 2011 http://www.forum18.org/Archive.php?article_id=1643). Physical torture has also been inflicted by police on children (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862). After the November Tashkent raid, police tortured infants by stopping their parents from feeding them (see below).

After extracting statements from the schoolchildren, eight Anti-Terrorism Police from Yashnobod Police Station at 11 am on Sunday 8 November "broke into" Zhuliyev's private home in Kunayev Street in Yakkasaray District, while a group of Protestants were having a worship meeting, the local Protestants told Forum 18. "All the police were in plainclothes and one of them was masked and armed with an automatic handgun." Police then "turned upside down the table and all the chairs in the house".

Police confiscated Christian religious materials and private property, including notebook computers, computer hard discs, i-pads, mobile phones, memory chips, cameras, an acoustic guitar with its case, 100 Christian books (including 5 New Testaments in Uzbek and 3 Bibles in Russian), audio tapes, CDs, DVDs and leaflets with Biblical texts. "Police also stole 300,000 Soms" (about 950 Norwegian Kroner, 100 Euros, or 110 US Dollars at the inflated official exchange rate), Forum 18 was told.

Torture during raid

Anti-Terrorism Police "unlawfully handcuffed" Zhuliyev and Erik Tajibayev and the unidentified masked and armed police officer "hit and kicked" Ruslan Bekzhanov "in the head and abdomen". His upper lip was split during this assault.

Police then took the 12 Protestants to Yashnobod Police Station. Those detained were Bekzhanov, Zhuliyev, Tajibayev, Dilsuz Zununova, Gulnoza Khasanova, Zhavokhir Abdullayev, Odila Bobokulova, the brothers Meirbek and David Tajibayev, Erzhan Tajibayev, Diyora Khamidova, and Shavkatilla Soliyev. The detained Protestants, some of them with infant nursing children, were brought to the Police Station at 12.30 pm.

Protestants noted that, as the police came from Yashnobod District, it was unlawful for them to raid a meeting in Yakkasaray District.

Torture in Police Station

In Yashnobod Police Station police "hit with the palm of their hands" Erzhan Tajibayev and Abdullayev. Police "refused the detainees both the use of toilet and water to drink". Parents of five infants, who included Zhuliyev's 10-month old son, were not allowed to feed their infants until they wrote statements against Zhuliyev and themselves. All parents were compelled to write statements that Zhuliyev "taught them the faith of Jesus Christ." Police also interrogated some of the young children on their own and compelled them to write similar statements. Zhuliyev was ordered to write a statement "against some South Koreans to deport them from Uzbekistan".

The Protestants were kept at the Police Station for nine hours and released at 9.30 pm in the evening.

International obligations

The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Uzbekistan acceded to on 28 September 1995, defines torture as: "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity".

Uzbekistan has grave international obligations under the CAT, including the obligation to arrest, try under criminal law and if found guilty severely punish officials guilty of torture (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Why torture?

When Forum 18 asked why Anti-Terrorism Police raided a meeting for worship and tortured those present, Major Oybek Kayimkhodzjayev, Chief of Yashnobod Anti-Terrorism Police stated: "We referred the case to Yashnobod Court, and it fined them." Asked what measures were or will be taken about the police who tortured Bekzhanov and others, Kayimkhodzjayev claimed to Forum that "we punished them". Asked for the names of the police punished with the punishments given to them, he claimed to Forum 18 on 23 November that "you know we cannot inform you about such cases over the phone". He then refused to discuss the case further.

Victims, not torturers, prosecuted and punished

On 16 November Yashnobod District Criminal Court fined the 12 Protestants under the Code of Administrative Offences' Articles 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"), 240 ("Violation of the Religion Law") and 241 ("Teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organisation, as well as teaching religious beliefs privately"). Punishments range from a fine of up to 100 times the minimum monthly salary under Article 184-2 and 240 to short-term jailing of up to 15 days under Article 240 and 241.

Chancellery officials and Judge Anvar Khusainov refused to discuss the case and torture of by police with Forum 18 on 16 November. Judge Khusainov claimed that "I cannot hear you well", even though the phone line was very clear. He then put the phone down. Called again, when Khusainov's Secretary told the Judge about the call he asked her to put the phone down. She did this.

Samarkand raid and torture

In Samarkand Region, Pastdargom District Police raided a private home on 1 May where eight Jehovah's Witnesses were meeting for worship. The Witnesses, who are anonymous for fear of state reprisals, were "threatened, interrogated, and battered", Jehovah's Witnesses told Forum 18 on 18 November. "Police planted drugs on one of the male Witnesses and severely physically tortured one

male and one female Witness. Also, two other women were sexually assaulted both physically and verbally."

Police confiscated the Jehovah's Witnesses' personal religious literature and property, including 15 DVDs, 39 religious leaflets, one hand-written notebook, 18 leaflets with prayers, three mobile phones and a notebook computer worth 300,000 Soms (about 950 Norwegian Kroner, 100 Euros, or 110 US Dollars at the inflated official exchange rate).

Police brought the detained Jehovah's Witnesses to the District Police Station on the same day, and "interrogated them from 7.00 pm in the evening of 1 May until 8.00 am the following morning", Jehovah's Witnesses told Forum 18. Major Rustam Rakhmatov, who questioned the Jehovah's Witnesses, was drunk.

Police officers told the two women they had tortured that "if they filed any claims of sexual assault, the police would charge them with giving false evidence."

Victims, not torturers, prosecuted and punished

On 22 June Pastdargom District Criminal Court found six of the eight Jehovah's Witnesses guilty under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"), Jehovah's Witnesses told Forum 18. Five of the six received fines of 10 times the minimum monthly wage, 1,184,000 Soms (about 3,750 Norwegian Kroner, 410 Euros, or 430 US Dollars at the inflated official exchange rate). One of these was also found guilty under Article 241 ("Teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organisation, as well as teaching religious beliefs privately"). The sixth was fined five times the minimum monthly wage, 592,000 Soms (about 1,875 Norwegian Kroner, 205 Euros, or 215 US Dollars at the inflated official exchange rate), under Article 184-2.

The Court also ordered that the male Jehovah's Witness, on whom the police planted drugs, serve two years on probation.

Seventeen Jehovah's Witnesses' books, including a New Testament and a Bible in Uzbek, were ordered to be given to the Samarkand Department of the Muslim Board. The Board is under complete state control (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862). An official, who refused to give his name, of Samarkand Muslim Board denied to Forum 18 on 24 November that the books were given to them. Asked what the Muslim Board will do or did with the Jehovah's Witnesses books, he claimed that "we do not have any Jehovah's Witnesses books, and never received any."

The Court also ordered that the Jehovah's Witnesses confiscated personal property be given to the state, and that the religious DVDs, leaflets, and notebooks be destroyed. Confiscated religious literature and materials, including the Bible and Islamic texts, have often been ordered by courts to be destroyed (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Why torture?

Judge Muhiddin Tukhtayev, Chair of Pastdargom Court on 23 November refused to discuss the case with Forum 18. Asked why the Court punished the Jehovah's Witnesses he replied "please send your questions in writing". Asked what measures were taken by the authorities against the police officers who tortured the Jehovah's Witnesses, including with sexual assault, Judge Tukhtayev repeated his previous answer. He then declined to talk to Forum 18.

Police arrest and torture two female Jehovah's Witnesses

On 19 June Samarkand Police arrested on the street two female Witnesses and took them to a police station. The Police Chief "questioned the two for over seven hours", Jehovah's Witnesses told Forum 18.

One police officer attempted rape and gave one of the women an ultimatum: she could choose to spend 15 days in prison or have her hair forcibly cut. With scissors in hand, the officer approached her. But when she warned the officer that she would report the attempted rape, he stopped. Another police officer then "grabbed her by the hair and flung her against the wall".

Women in particular are often targeted by male officials for assault, including sexual violence (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Why torture?

Asked why police under his authority raided a meeting for worship, planted drugs, and tortured, including sexually assaulted, the Jehovah's Witnesses, Samarkand Criminal Investigation Department Head Ismoilkhon Elomov claimed that "I did not work in this Division in that period." Asked whether or not the responsible officers were punished, Elomov replied that "I will investigate these issues. Call us back at 6 pm tomorrow". No answer was received.

The Ombudsperson who won't investigate human rights violations

Asked why the Anti-Terrorism Police raid and disrupt meetings for worship of religious communities, and why police officers tortured, including with sexual assault, Protestants and Jehovah's Witnesses, the Interior Ministry's press office referred Forum 18 on 24 November to the Ministry's Criminal Investigations and Struggle against Terrorism Directorate.

Asked the same questions, the Assistant (who would not give his name) of Directorate Head Lieutenant Colonel Uktam Murodov told Forum 18 on 24 November that Murodov "is in a meeting". He then said that "I will see if Murodov would like to talk to you". Seconds later the Assistant put the phone down. Called back, the Assistant told Forum 18 that it is a "wrong number". He then put the phone down.

"Neither Jehovah's Witnesses nor Protestants wrote to us about violations, so we cannot investigate those cases", Saidbeg Azimov, Assistant to human rights Ombudsperson Ulugbek Mukhamadiyev told Forum 18 on 24 November. Asked on what grounds the Anti-Terrorism Police raids meetings for worship and tortures those present, Azimov repeated his previous answer. He asked Forum 18 to inform the Ombudsperson's Office in writing about the cases, but would not answer when asked why the Ombudsperson did not investigate violations previously reported by international human rights organisations.

Uzbekistan's Ombudsperson's Office is not accredited with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights as compliant with the Paris Principles on the independence of such national human rights bodies from government. (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all as the best antidote to Islamic religious extremism in Uzbekistan, see http://www.forum18.org/Archive.php?article_id=338.

For more background, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1862.

Full reports on freedom of thought, conscience and belief in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

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

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