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UZBEKISTAN: Torture and impunity for torturers continues

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

Torture and impunity for torturers continues in Uzbekistan, directed against Muslims, Protestants, Jehovah's Witnesses and people of other faiths. Women are targeted for assault, and in another torture case police told a Jehovah's Witness that complaining makes no difference as "we will remain unpunished".

Torture and impunity for torturers continues in Uzbekistan. In a series of incidents typical of cases involving Muslims, Protestants, and people of other faiths known to Forum 18, Jehovah's Witnesses exercising their freedom of religion and belief have been tortured by officials. The incidents documented below took place between January and June 2017, but similar incidents are known to be continuing.

Uzbekistan has also shown a total refusal to carry out its binding legal obligations in international law to both arrest any person suspected on good grounds of having committed torture, and to - under Article 4 of the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment - try them under criminal law which makes "these offences punishable by appropriate penalties which take into account their grave nature". No such arrests or prosecutions are ever known to have happened (see below and Forum 18's Uzbekistan religious freedom survey http://forum18.org/archive.php?article_id=2314).

The names of the victims of the freedom of religion and belief and right to be free of torture and other cruel, inhuman or degrading treatment or punishment violations described below are all anonymised, for fear of state reprisals.

In Nukus one Jehovah's Witness in jail was hit "on his kidneys, chest, stomach, and face. They then demanded that he do 150 squat exercises without taking a rest. When he was able to do only 120, the officers again beat him in the face". Later, police "kicked him on the back" and subsequently "[in freezing conditions] poured cold water on the floor of the cell and kicked him in the head". One of the officers stated to have done this told Forum 18 that "I do not know what you are talking about". Asked why the police Struggle with Extremism and Terrorism Department repeatedly raids and tortures people exercising their freedom of religion and belief and interlinked freedoms, the officer replied: "I cannot tell you why they can or cannot. I just don't want to talk to you" (see below).

When Forum 18 gave the names of the police officers it had been given to another official, and asked whether the authorities will take the measures international law requires Uzbekistan to take against them, they replied: "I cannot evaluate this, since we are not a justice agency" (see below).

In Namangan two police officers who are said to have tortured a Jehovah's Witness told them that if they complained "we will remain unpunished". Another police officer involved in a subsequent case claimed to Forum 18 that "they were not tortured". Prosecutor's Office officials claimed that questions could not be answered as they were "busy visiting the cotton fields" (see below).

In a Karshi case, when Forum 18 questioned a police officer who is said to have been part of a group of police who sexually assaulted women, they claimed that "I was not involved in that". When told that he and his colleagues sexually assaulted the women, he put the phone down (see below).

When in an Urgench case a complaint was made about officials' unlawful actions, Urgench City Prosecutor's Office wrote back that after investigation "no evidence of torture by officers of Urgench Police was found" (see below).

Torture and impunity normal, women particularly vulnerable

Torture, or threats of this, appears to be a normal experience for anyone subjected to official hostility – it is "routine" as the UN Committee Against Torture (CAT) found in 2007. In December 2013 the CAT's Concluding Observations on the country (CAT/C/UZB/CO/4) noted with concern "numerous, ongoing and consistent allegations that torture and ill-treatment are routinely used by law enforcement, investigative and prison officials". This leads to a climate of impunity for officials and the absence of the rule of law, where unjust trials with flagrant breaches of due process are normal. It is for very good reason rare for people to publicly

document torture they experience, for fear of state reprisals (see Forum 18's Uzbekistan religious freedom survey http://forum18.org/archive.php?article_id=2314).

The CAT's December 2013 Concluding Observations also strongly criticised the absence of the state fulfilling its binding legal obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Uzbekistan acceded to on 28 September 1995, to: "carry out prompt, impartial and effective investigations into all allegations of torture and ill-treatment and prosecute and punish all those responsible, including law enforcement and prison officials" (see http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fUZB%2fCO%2f4).

Women exercising their freedom of religion and belief are particularly vulnerable to targeting by male officials in Uzbekistan's highly patriarchal society, and there are strong social pressures against women speaking out about such human rights violations. Cultural traditions of "honour" can destroy a woman's reputation if she is known or thought to have been the victim of sexual violence or even if she has been alone – for example overnight – with male police officers who are unrelated to her. The use of sexual violence by male officials appears to be common, and is known to have been experienced by Muslim, Protestant and Jehovah's Witness women. Men exercising their freedom of religion and belief have also been threatened by police with being forced to witness their wives being raped (see Forum 18's Uzbekistan religious freedom survey http://forum18.org/archive.php?article_id=2314).

"I do not know what you are talking about"

On 12 January 2017 Nukus District Criminal Court, in the north-western Karakalpakstan [Qoraqalpoghiston] Region, jailed a Jehovah's Witness for 15 days under the Administrative Code's 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").

During pre-trial questioning, police "beat him on his kidneys, chest, stomach, and face. They then demanded that he do 150 squat exercises without taking a rest. When he was able to do only 120, the officers again beat him in the face," Jehovah's Witnesses told Forum 18.

Eleven days into the Jehovah's Witness's 15-day jail term, he "was undressed and [police Struggle with Extremism and Terrorism Department] officer Ulugbek kicked him on the back." On the 14th day of the jail term, police Struggle with Extremism and Terrorism Department officers Ruslan Allanazarov, Umida Kurbanbaeva, Anvar and Yusup (whose last names are not known) "poured cold water on the floor of the cell and kicked him in the head". (The World Meteorological Organisation states that average January temperatures in Nukus are minus 4.8 degrees Centigrade, or just over 23 degrees Fahrenheit.)

Asked why he and his colleagues tortured the Jehovah's Witness, officer Allanazarov on 4 October evaded the question. "I did not arrest him but the Court" he told Forum 18. When Forum 18 repeated the question, he claimed: "I do not know what you are talking about."

Asked why the police Struggle with Extremism and Terrorism Department repeatedly raids and tortures people exercising their freedom of religion and belief and interlinked freedoms, officer Allanazarov responded: "I cannot tell you why they can or cannot. I just don't want to talk to you." He then put the phone down.

As this and many similar "Anti-Terrorism Police" cases illustrate, the regime's definition of "terrorism" includes people exercising their human rights (see Forum 18's Uzbekistan religious freedom survey http://forum18.org/archive.php?article_id=2314).

Impunity for torturers

Asked whether Allanazarov and other police officers were punished for their torture of the Jehovah's Witness, an official (who would not give his name) when answering the phone of Karakalpakstan's regional Interior Minister Janabay Sadikov on 4 October referred Forum 18 to Colonel Salamat Madreimov, Head of Karakalpakstan's Anti-Terrorism Police. Madreimov's phone went unanswered every time Forum 18 rung on 4 October.

Elmurod Tursunov, the official in Karakalpakstan's regional Justice Ministry overseeing religious organisations on 4 October claimed to Forum 18 that "We do not know about this case." He referred Forum 18 to Kayrat Abdimuratov, Assistant to the Chair of Karakalpakstan's regional Religious Affairs Committee.

Abdimuratov told Forum 18 the same day that Jehovah's Witnesses are "not registered in Karakalpakstan and they were punished for their illegal activity". Asked whether torture is also part of the punishment he claimed that "I do not know about this". When Forum 18 gave the names of the police officers, and asked whether the authorities will take the measures international law requires Uzbekistan to take against them, he responded: "I cannot evaluate this, since we are not a justice agency".

"The central authorities in Tashkent decide.."

Asked why Jehovah's Witnesses are not allowed to exist in Karakalpakstan, he replied, "We have only one non-Muslim religious community allowed here, the [Russian] Orthodox Church." Asked why he replied: "The central authorities in Tashkent decide what organisations can be registered". He said that seven state-controlled mosques and one Russian Orthodox Church are the only registered religious organisations in Karakalpakstan (see Forum 18's Uzbekistan religious freedom survey http://forum18.org/archive.php?article_id=2314).

"We will remain unpunished"

On 5 February Namangan police Struggle with Extremism and Terrorism Department officers raided a Jehovah's Witness home meeting for worship in Namangan, in the western Fergana [Farghona] Valley. Officer Murod Khakimov and 10 colleagues raided the meeting without the search warrant the law requires. Such violations of the rule of law are common in Uzbekistan (see Forum 18's Uzbekistan religious freedom survey http://forum18.org/archive.php?article_id=2314).

Four Jehovah's Witnesses were in a court hearing fined five times the minimum monthly salary under the Administrative Code's Articles 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons") 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").

Two Jehovah's Witnesses were sentenced to five-day jail terms. While in jail, one of the Jehovah's Witnesses was "severely beaten by two drunk [Anti-Terrorism Police] officers. They hit him on the ear, stomach, and face. While beating him, they threatened him with a longer period of detention and claimed that filing complaints would not improve his situation as "we will remain unpunished".

"They were not tortured" ?

On 19 March Anti-Terrorism Police raided Jehovah's Witnesses meeting in a café in Namangan. That raid was also led by officer Khakimov accompanied by six others. Police confiscated the personal belongings of those present, including electronic devices and printed publications. A court jailed two Jehovah's Witnesses for 15 days under Administrative Code Article 241. One of them had been jailed for five days in February.

"During their detention, [Anti-Terrorism Police] officers beat them on the back and the head. One officer beat one of the Jehovah's Witnesses on the head with a chair and grabbed him by his hair", Jehovah's Witnesses stated.

Officer Khakimov on 3 October claimed to Forum 18 that his "last name is Khamidov", and when asked why he and his colleagues raided and tortured Jehovah's Witnesses replied: "We opened an administrative case, but they were not tortured in detention." He then put the phone down.

Jehovah's Witnesses told Forum 18 that a complaint was filed to Namangan Regional Prosecutor's Office on 29 March. On 24 April Myrzakhit Tuychiev, Namangan city Prosecutor, wrote back that "no violations of the law were discovered in the actions of Officer Khakimov".

"Busy visiting the cotton fields"

On 31 July a complaints was then made to the General Prosecutor's Office. On 3 August R.N. Rakhmatov of that Office wrote back that the complaint had been forwarded to the Regional Prosecutor's Office. On 8 August Bakhromjon Irmatov, Deputy Prosecutor of Namangan Region, wrote back that the complaint had been forwarded to the city Prosecutor's Office. No further reply has been received as of today (12 October).

Asked about the case, the Prosecutor's General's Office on 10 October referred Forum 18 to Gulnoza Rakhimova, Chief of the Public Relations Department. Abdukadyr Ergashev, who answered Rakhimova's phone, claimed that she is "busy in a meeting," and asked Forum 18 to call back on 11 October. On 11 October Ergashev claimed to Forum 18 that Rakhimova is "away at a conference." He then refused to comment on the case or put Forum 18 through to Rakhmatov or any other officials overseeing it.

Namangan city Prosecutor's officials (who would not give their names) on 11 October refused to comment on the case or put Forum 18 through Prosecutor Tuychiyev or any other officials. "The Prosecutor and his officials are busy visiting the cotton fields", they claimed.

Uzbekistan is one of the larger exporters of cotton in the world, and has for decades forced many adults and children (from the age of 10 upwards) to work its cotton fields. All profits go to the state, and environmental pollution is severe (see Forum 18's Uzbekistan religious freedom survey http://forum18.org/archive.php?article_id=2314). The Cotton Campaign coalition, and other human rights defenders, have long campaigned to end forced and child labour in the cotton fields of Uzbekistan and Turkmenistan (see <http://www.cottoncampaign.org>).

Women targeted

On 31 May Karshi [Qarshi] Police in southern Uzbekistan raided a home meeting for worship of Jehovah's Witnesses. As is common for such raids, there was no search warrant as required by law. "During the search four police officers, including Lieutenant Zhamol Sharopov, Zafar Obilov, Zokir, and Bunyod [whose last names are not known] confiscated electronic devices containing religious materials. The officers also "grabbed the breasts of women, claiming that they needed to check for electronic devices".

Asked on 10 October by Forum 18 why Karshi police led by him raided the Jehovah's Witness meeting, Lieutenant Sharopov claimed that: "I was not involved in that". When told that he and his colleagues sexually assaulted the women, he put the phone down. He did not answer subsequent calls to him.

"No evidence of torture" ?

On 28 June Urgench [Urganch] Police in Khorezm Region, in the west of Uzbekistan, detained a local Jehovah's Witness and brought him to their Police Station. "At the Station, [first name unknown] Sobirov from the City Administration twice strangled him and then grabbed him by the neck and beat his head against a table" Jehovah's Witnesses stated. Sobirov then "threatened him with death if he filed a complaint".

Jehovah's Witnesses complained to the General Prosecutor's Office about the officials' unlawful actions. On 16 July Umurbek Madrakhimov of Urgench City Prosecutor's Office wrote back that after investigation "no evidence of torture by officers of Urgench Police was found".

Asked about the case by Forum 18, an official who would not give his name of Khorezm Regional Administration claimed that the official responsible for such cases is Ravshan Sapayev. "Neither the City nor Regional Administration has any official named Sobirov is working for us", they claimed. He then referred Forum 18 to Sapayev.

Sapayev referred Forum 18 to Khamza Atakhanov, Deputy Head of Khorezm Administration, who oversees religious affairs. When Forum 18 asked Atakhanov on 10 October why the Jehovah's Witness was tortured, he claimed that "I cannot hear you well". However Forum 18 could hear him clearly. Subsequent calls to him were not answered.

On 10 October Urgench Police referred Forum 18 to Fakhridin (who would not give his last name) of the Struggle with Extremism and Terrorism Department. Fakhridin asked Forum 18 to call back in five minutes. When called back he claimed that it was a "wrong number" and then put the phone down.

On 11 October an Urgench city Prosecutor's Office official (who would not give his name) who answered Prosecutor Madrakhimov's phone refused to comment on the case or put Forum 18 through to Madrakhimov. (END)

For a personal commentary by a Muslim scholar, advocating freedom of religion and belief 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=2314.

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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