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UZBEKISTAN: Fines, magazine destruction, short-term jailing, beard shaving, threats

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

A Tashkent court fined a Baptist for offering Christian magazines to neighbours in her home and ordered the magazines destroyed. A Muslim was jailed for 10 days after police found a lecture from a state Islamic institution on his phone. And a police officer threatened another Muslim with jail or a psychiatric ward for a video criticising the "no serious changes" on human rights, and the public's silence "because of fear of the authorities" about human rights violations.

On 18 January, a Tashkent court fined local Baptist Tatyana Akhmadiyeva two weeks' average wages for offering 15 Christian magazines to her neighbours at a Christmas celebration in her home. The Judge also ordered that the magazines – which police had seized from each of the recipients – be destroyed. On 12 February, Tashkent City Criminal Court upheld the decision to fine Akhmadiyeva and order the magazines to be destroyed.

Akhmadiyeva's 18 January trial lasted 15 minutes, and Baptists told Forum 18 that the Judge "did not even introduce himself or the parties in the Court." They also pointed out that the Judge illegally "did not familiarise the defendant with her rights and duties" (see below).

Baptists told Forum 18 that Akhmadiyeva is appealing against the fine, magazine confiscations, and order to destroy the magazines. Such freedom of religion and belief violations were common before 2019.

Judge Anzhelika Shamsutdinova of Tashkent City Criminal Court, who upheld the decision, refused to explain to Forum 18 why she did this, or why people cannot share religious literature with others who wish to receive it (see below).

Following the Christmas gathering, Police had summoned Akhmadiyeva to a police station where an officer of the police "Struggle with Extremism and Terrorism Department" filmed her and questioned her about the magazines. He told her that the magazines were sent to the Religious Affairs Committee for "expert analysis". This claims: "The Baptist magazines were imported into Uzbekistan illegally, and their distribution violates the [Religion] Law, although they do not contain information contrary to the law. The magazines should be destroyed" (see below).

Police, Religious Affairs Committee, and Interior Ministry officials refused to explain to Forum 18 why the "Struggle with Extremism and Terrorism Department" hunts people exercising their freedom of religion and belief, why the regime punishes people for having religious material, or why such material should be confiscated and destroyed (see below).

In summer 2020, police detained on the street a Muslim who does not wish to be named for fear of state reprisals. They took him to a nearby police station for questioning. He explained to Forum 18 that he had previously complained about the local authorities "which they did not like. It was probably for this reason that they arrested me" (see below).

Officers searched his mobile phone at the police station, and found on it lectures on Islam from the state-run International Islamic Academy. A court then jailed the man for 10 days under Administrative Code Article 183 ("petty hooliganism"), and fined him under Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). While in jail his beard was forcibly shaved off (see below).

After trauma surgeon Doctor Alimardon Sultonov was on 3 March freed from a restricted freedom sentence imposed for discussing freedom of religion and belief issues and questioning official coronavirus figures, on 8 March he published online a 20-minute video stating: "President [Shavkat Mirziyoyev] promised that he would make fundamental changes, and improve the lives of citizens and the human rights situation, but no serious changes took place. The authorities are complacent and the general public is silent – because of fear of the authorities – about the human rights violations which go on every day" (see below)

The same day, Ellikala District Prosecutor Sh. Matyakubov appealed to Karakalpakstan's Supreme Court to revoke the ending of Dr Sultonov's restricted freedom sentence. Matyakubov claimed that this should be done as he published this video on 25 February. Dr

Sultonov insists that this is not true, but the Prosecutor's appeal has been sent to Beruny Inter-District Court for additional investigation (see below).

Officer Adil Amatov of Ellikala Police Criminal Investigations Division visited Dr Sultonov in his hospital three times. On 9 March, one day after Sultonov published the 8 March video, Amatov told Sultonov not to publish critical comments. Dr Sultonov told Forum 18 that he said that "if I do not stop this he will put me in prison or a psychiatric ward" (see below).

Officer Amatov also talked about Muslim prisoner of conscience Tulkun Astanov, who was in January jailed for five years after repeatedly defending Muslims' freedom of religion and belief. The police officer asked "Where is Astanov now?" adding that "No one remembers him now, and he will rot in prison" (see below).

On 31 March Officer Amatov answered his telephone, and then claimed to Forum 18 that it was not his number. He then admitted it was his number, but when asked why he threatened Dr Sultonov with jail or a psychiatric ward put the phone down (see below).

Regime-appointed Commissioner for Human Rights or Ombudsperson Feruza Eshmatova and her staff would not discuss the threats made against Dr Sultonov or anything else. One official after consulting with Eshmatova, told Forum 18 to "call back in one hour." When Forum 18 called back one hour later the phone line had been switched to a fax machine (see below).

Baptist woman raided for distributing Baptist magazines

On 25 December 2020, Tatyana Akhmadiyeva, a member of a Baptist Council of Churches congregation in Tashkent's Yashnobod District, invited her neighbours to her home for a Christmas celebration. At the party she gave away about 15 copies of a Baptist magazine "Herald of Truth".

But at about 2.30 in the morning on 26 December Lieutenant-Colonel Abir Rajapov of Yashnobod District Police with local police officer Mukhlitdin Karimov loudly knocked on Akhmadiyeva's door. The police woke her and her neighbours up, but Akhmadiyeva did not open the door and asked the police to return when people were normally awake.

At 10.30 the same morning, both officers returned and entered the flat, claiming that they had received an unspecified "complaint" about her. After questioning Akhmadiyeva about the magazines they drew up a report and left.

On 28 December both Lieutenant-Colonel Rajapov and officer Karimov raided the homes of every neighbour who they knew had a copy of the "Herald of Truth" magazine and confiscated them. "A few of the neighbours were coerced into writing statements about how they received the magazines," local Baptists told Forum 18 on 24 March.

Officer Karimov denied to Forum 18 that he took part in the raids. He also refused to explain why the raids happened, and why police confiscated magazines from people who had freely chosen to take and keep them. "I did not investigate that case," he claimed at the end of the conversation. "I am only a local police officer," he claimed, before refusing to talk more.

Questioning at Yashnobod Police Station, fine, magazine destruction order

On 6 January 2021 officers summoned Akhmadiyeva to Yashnobod Police Station, where Major Janibek Rakhimov of the police "Struggle with Extremism and Terrorism Department" filmed her and questioned her about the magazines. He told her that the magazines had been sent to the Religious Affairs Committee for "expert analysis", and that she would be prosecuted in court.

Major Rakhimov refused to discuss the case with Forum 18 on 25 March, and refused to explain why the "Struggle with Extremism and Terrorism Department" hunts people exercising their freedom of religion and belief.

Lieutenant Colonel Akbar Yunusov, head of Yashnobod District police "Struggle with Extremism and Terrorism Department", also refused to discuss the reasons for his department's actions on 25 March.

Mirjamol Miralimov, First Deputy Head of the Interior Ministry's "Struggle with Extremism and Terrorism Department", refused to explain why the regime punishes people for having religious material, or why such material should be confiscated and destroyed. "I am not competent to answer you," he replied on 25 March, before claiming all questions should be sent in writing to the Ministry's Press Service.

The Religious Affairs Committee "expert analysis", cited in the subsequent court decision which Forum 18 has seen, claims: "The Baptist magazines were imported into Uzbekistan illegally, and their distribution violates the [Religion] Law, although they do not contain information contrary to the law. The magazines should be destroyed."

Begzod Kadyrov, Chief Specialist of the Religious Affairs Committee, refused to explain to Forum 18 on 29 March why Baptists, Muslims or anyone needs to have state permission for religious texts to be printed, imported, distributed, or stored in any way. He also refused to explain to Forum 18 why a Baptist was fined and a Muslim jailed for this "offence".

On 18 January, Judge Abror Saidov of Tashkent's Yashnobod District Criminal Court presided at Akhmadiyeva's trial 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").

Judge Saidov heard the case for only 15 minutes, Baptists told Forum 18, and "did not even introduce himself or the parties in the Court". The Judge illegally "did not familiarise the defendant with her rights and duties", they added.

Judge Saidov fined Akhmadiyeva 1,115,000 Soms (two weeks' average wages for those in formal work), and ordered that the confiscated magazines be destroyed.

Yashnobod District Criminal Court officials refused to comment on the case on 26 and on 29 March, or put Forum 18 through to Judge Saidov. On 29 March an official (who refused to give her name) claimed that the Judge was busy, and asked Forum 18 to call back in 30 minutes. When Forum 18 called back, the phone line had been switched to a fax machine.

On 12 February, Judge Anzhelika Shamsutdinova of Tashkent City Criminal Court upheld Judge Saidov's decision to fine Akhmadiyeva just under two weeks' average wages and order the magazines to be destroyed.

Judge Shamsutdinova refused to say why she did this, or explain to Forum 18 why people cannot share religious literature with others who wish to receive it. "I cannot comment on this, and cannot speak to you," she claimed on 29 March before refusing to talk more.

Akhmadiyeva is appealing against the fine, magazine confiscations, and order to destroy the magazines, Baptists told Forum 18. Such freedom of religion and belief violations were common before 2019 (https://www.forum18.org/archive.php?article_id=2446).

Ten days jail, beard shaved, for having lectures from state-run Islamic institution on phone

In summer 2020, police detained on a street a Muslim who does not wish to be named for fear of state reprisals. Officers took him to a nearby police station for questioning. He explained to Forum 18 that he had previously complained about the local authorities "which they did not like. It was probably for this reason that they arrested me."

At the police station, officers searched his mobile phone and found lectures on Islam from Tashkent's Committee for Religious Affairs-run International Islamic Academy (https://www.forum18.org/archive.php?article_id=2472). The man was then charged 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").

In summer 2020 a court gave him a 10-day jail sentence under Administrative Code Article 183 ("petty hooliganism") and fined him under Article 184-2, he told Forum 18. He added that he served the 10-day sentence but did not pay the fine. While in jail "against my will they shaved my beard, which is on my identity photo and was not long".

The Muslim said that he wanted to complain about his treatment, but did not do so as "I do not think that they will punish anyone for this".

Various human rights defenders, who asked not to be named for fear of state reprisals, told Forum 18 that they have become aware of a number of cases of Muslims – especially men - being arrested since late summer 2020 for having Islamic material on electronic devices. They said that this was not currently happening on the same scale as happened up to 2018 (https://www.forum18.org/archive.php?article_id=2367).

"No serious changes" on human rights video published, Prosecutor seeks new punishment

Doctor Alimardon Sulonov, a devout Muslim known for discussing freedom of religion and belief issues (https://www.forum18.org/archive.php?article_id=2604), works as a trauma surgeon at Ellikkala Central State Hospital in the north-western Karakalpakstan Region. In March 2020 he questioned why local authorities had publicly stated that there were no coronavirus cases in Ellikkala (https://www.forum18.org/archive.php?article_id=2614), as he suspected that the authorities had concealed the real figures. "I had access to the statistics centre database", Dr Sulonov noted, "and have read that the number of deaths was 20".

After Dr Sulonov called, five police, Interior Ministry, and State Security Service (SSS) secret police officers came from the regional capital Nukus to question him (https://www.forum18.org/archive.php?article_id=2604), confiscate a computer with religious texts, and then open a criminal case against him.

After considering a range of charges against Dr Sulonov, prosecutors finally brought charges under a new Criminal Code Article 244-5 (https://www.forum18.org/archive.php?article_id=2564) ("Dissemination of knowingly false information about an infectious

disease"), as well as under Criminal Code Article 244-3 ("Illegal production, storage, import or distribution of religious literature"). Dr Sulstonov denied the charges, but on 24 November was given a 14-month restricted freedom sentence. Each day of Sulstonov's three-month pre-trial house arrest counts as one day of his restricted freedom sentence.

The restrictions meant that Dr Sulstonov had to report regularly to Ellikala District Police and having to be at home from 10 pm to 6 am every day (https://www.forum18.org/archive.php?article_id=2626). He could not leave the District without police permission, and was banned from using "means of communication" including the internet. He also could not participate in public events or festivities. He kept his job at the hospital, but was not able to do night shifts for the duration of his sentence.

On 3 March 2021, Ellikala District Criminal Court approved a request from Ellikala District Police probation officers, who oversaw the restricted freedom sentence, to free Dr Sulstonov. Criminal Procedure Code Article 473, quoted in the decision which Forum 18 has seen, states: "if the defendant given the restricted freedom sentence fulfils all the conditions of the punishment for one third of the term, they can be freed from the rest of the term." The Court freed Dr Sulstonov that morning, and after being freed he announced this on social media.

On 8 March, Dr Sulstonov published a 20 minute video on Facebook stating: "President [Shavkat Mirziyoyev] promised that he would make fundamental changes, and improve the lives of citizens and the human rights situation, but no serious changes took place. The authorities are complacent and the general public is silent – because of fear of the authorities – about the human rights violations which go on every day."

The same day, Ellikala District Prosecutor Sh. Matyakubov appealed to Karakalpakstan's Supreme Court to revoke the ending of Dr Sulstonov's restricted freedom sentence. Matyakubov claimed that this should be done as he published this video on 25 February.

Dr Sulstonov insists that this claim is not true, stating that any "evidence" that the 8 March video was published on 25 February must have been fabricated. "I followed all the restrictions put on me diligently and thoroughly," he told Forum 18 on 30 March, "including the fact that I did not publish anything until after the 3 March Court decision."

On 30 March, Judges Timur Turdimurotov, Abdugani Abdukarimov and Askar Bekmanov of Karakalpakstan Supreme Court's appeal board referred Ellikala District Prosecutor Matyakubov's appeal to Beruny Inter-District Court for additional investigation. The same judges upheld Dr Sulstonov's earlier sentence (https://www.forum18.org/archive.php?article_id=2631) in a hearing in which one witness stated: "Instead of justifying their action based on the law, the Prosecutor was more emotional, yelling and behaving unprofessionally in a disrespectful manner to the Court and defendant."

Neither the District Prosecutor's Office nor the Court answered their phones on 30 and 31 March.

Police threaten Sulstonov with jail or psychiatric ward

Officer Adil Amatov of Ellikala Police Criminal Investigations Division visited Dr Sulstonov in his hospital three times between 9 and 16 March. On 9 March, one day after Sulstonov published the 8 March video, Amatov told Sulstonov not to publish critical comments. Dr Sulstonov told Forum 18 that he said that "if I do not stop this he will put me in prison or a psychiatric ward".

Officer Amatov also talked about Muslim prisoner of conscience Tulkun Astanov, who was in January jailed for five years after repeatedly defending Muslims' freedom of religion and belief (https://www.forum18.org/archive.php?article_id=2631), including demonstrating outside President Mirziyoyev's residence in Tashkent. A state report accused him of following "sources of biased news such as Radio Free Europe", and publishing "unsubstantiated and exaggerated" information. Prisoner of conscience Astanov is being banned in jail from reading the Koran and praying the namaz.

Officer Amatov asked "Where is Astanov now?" adding that "No one remembers him now, and he will rot in prison."

On 31 March Officer Amatov answered his telephone, and then claimed to Forum 18 that it was not his number. He then admitted it was his number, but when asked why he threatened Dr Sulstonov with jail or a psychiatric ward put the phone down. He did not answer subsequent calls.

Bakhtiyor Abdullayev, Deputy Chief of Ellikala Police, put the phone down on 31 March as soon as Forum 18 asked about Sulstonov's case. He then switched off his phone.

Aziz Yuldashev, who answered the phone of regime-appointed Commissioner for Human Rights or Ombudsperson Feruza Eshmatova in Tashkent on 31 March, would not discuss the threats made against Dr Sulstonov, and claimed that Ombudsperson Eshmatova is "busy, but call back".

When Forum 18 called back, another official after consulting with Eshmatova, told it to "call back in one hour". When Forum 18 called back one hour later, the phone line had been switched to a fax machine. (END)

Full reports on freedom of thought, conscience and belief in Uzbekistan
(<https://www.forum18.org/archive.php?query=&religion=all&country=33>)

For more background, see Forum 18's Uzbekistan religious freedom survey (https://www.forum18.org/archive.php?article_id=2314)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments
(https://www.forum18.org/archive.php?article_id=1351)

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