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UZBEKISTAN: Raids, searches, detentions, fines, criminal investigations

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

Since early 2022, Tashkent Police have targeted Muslims with raids, house searches, detentions, arrests, administrative punishments (for allowing prayers to take place on business premises, and for teaching religion without state permission), and criminal investigations. Police detained an 18-year-old woman they had earlier pressured for wearing the hijab and studying Arabic. After 10 hours' questioning without food or water, the young woman – who has anaemia - fainted. Police refused to explain why they raided the family home and pressured the family and young woman, and why no one was tried or punished for torturing her. Tashkent City Criminal Court upheld the 7 and a half year jail term given to Fazilkhoja Arifkhojayev in January for criticising state-appointed imams.

Police of Tashkent City's northern Olmazor and Yunusobod Districts again targeted an 18-year old Muslim woman, apparently as part of the wider campaign against Muslims across the city launched at the beginning of 2022. The authorities had earlier pressured the young woman for wearing the hijab and studying Arabic.

The police campaign across the city – which does not appear to have targeted non-Muslim individuals or communities – consisted of raids, house searches, detentions, arrests, administrative punishments for allowing prayers to take place on business premises and for teaching religion without state permission, and criminal investigations (see below).

Police raided and searched the young woman's family home on 11 February. "They came very early and banged on the door of our flat in the building. All the neighbours woke up to the sound," the family told Forum 18. "When we opened the door we saw up to 12 officials and two witnesses they brought" (see below).

Finding no "extremist or suspicious materials", police took the young woman to Olmazor Criminal Investigation Department (CID). They questioned her for more than 10 hours, giving her no food or water. The young woman suffers from anaemia and eventually fainted in a corridor of Olmazor Police Station. Officers released her later in the day (see below).

Olmazor District Deputy Police Chief Dilmurod Kulliyev, who signed the search warrant, refused to tell Forum 18 why his officers conducted the raid, why police put pressure on the family and the young woman, and why no one was arrested and put on criminal trial for torture as legally-binding human rights obligations require (see below).

"We think that our daughter was not targeted as a separate case," family members told Forum 18, "but as part of the wider campaign against Muslims in Tashkent, as was announced by the police" (see below).

Tashkent's Yakkasaray District Police raided the car showroom of businessman Farkhod Rakhmonov on 12 January. Officers found that he had allowed his employees to conduct Muslim prayers at work, according to the subsequent court decision. Yakkasaray District Criminal Court fined Rakhmonov the equivalent of 8 months' average wage for allowing prayers to take place (see below).

After searches in the work places and homes of individual Muslims in Tashkent in January and February, police arrested up to 24 men for storing "extremist religious materials" on their mobile phones, Tashkent Police announced in mid-February. It claimed they were "members of an illegally-operating extremist organisation" and that criminal charges had been launched against them. A human rights defender from Tashkent stated that a Tashkent prison "became filled up in February with Muslim men, detained on alleged extremism and terrorism charges" (see below).

Tashkent Police warned the public "especially our youth, not to be deceived by the invitations [to join the Muslim faith] of dubious social networks, and not to use, store or disseminate materials that threaten public order, which is a violation of the Law". Police refused to answer any of Forum 18's questions on the searches, arrests and criminal cases (see below).

Tashkent Police and Shaykhantokhur District Police conducted a "joint crime prevention operation". The operation "established" that four Muslim women "without appropriate authorisation and education, taught Islam in an education centre, using religious

literature", Tashkent Police announced. On 8 February, Shaykhantokhur District Criminal Court fined the four women two weeks' average wage each (see below).

Police then summoned local residents to a meeting, where they warned them against violating the Religion Law (see below).

Non-Muslim religious communities in Tashkent and elsewhere - including Baha'i, Hare Krishna, Jehovah's Witnesses and various Protestant communities - told Forum 18 in early March that neither they nor their members have faced raids or any other punishments from the authorities in recent months. Raids on Baptists in Fergana in autumn 2021 seeking "unapproved" religious literature stopped after they complained to the President via his website (see below).

On 10 March, Tashkent City Criminal Court upheld the seven and a half year prison term given to Fazilkhoja Arifkhojaye in January for criticising state-appointed imams, his lawyer Sergei Mayorov told Forum 18. The family intends to lodge a cassation appeal to a higher court (see below).

For many years the regime has severely restricted all exercise of freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2699), particularly by Muslims exercising this freedom outside state control.

Young Muslim woman questioned again and tortured

Police in Tashkent's northern Olmazor and Yunusobod Districts again targeted an 18-year old Muslim woman, apparently as part of the wider campaign against local Muslims. The authorities had earlier pressured the woman for wearing the hijab and studying Arabic (https://www.forum18.org/archive.php?article_id=2712).

"Olmazor District Police tortured our daughter on 11 February, and no officer has been punished for this until now," the family of the woman told Forum 18 on 10 March. "This is despite our complaints on 5 January to Ulugbek Kosimov, Tashkent City Prosecutor, and Oybek Mannanov, of Olmazor District Prosecutor's Office, about the earlier threats made to our daughter on her mobile phone."

Prosecutors Kosimov and Mannanov as well as the numbers for the reception of both prosecutors went unanswered on 14 March.

"We think that our daughter was not targeted as a separate case," family members told Forum 18, "but as part of the wider campaign against Muslims in Tashkent, as was announced by the Police. They tried to fabricate a case against her for allegedly wanting to go Syria to join the Jihadists and allegedly knowing an Uzbek man who they claimed travelled there."

Early morning raid on family's flat

Officers of Tashkent's Olmazor District Police and the State Security Service (SSS) secret police raided the family's flat at 4 am on 11 February. The officials were accompanied by Yunusobod District Police Officer Parakhat Bekmuradov, who participated in earlier police targeting of the young woman (https://www.forum18.org/archive.php?article_id=2712).

Officer Bekmuradov did not answer his landline or mobile phones on 14 March.

"They came very early and banged on the door of our flat in the building. All the neighbours woke up to the sound," the family stated. "When we opened the door we saw up to 12 officials and two witnesses they brought. One of the witnesses was the mother of our daughter's Arabic teacher and another woman who we suspect works for the SSS secret police."

The same SSS officer threatened the young woman earlier (https://www.forum18.org/archive.php?article_id=2712) not to wear the hijab and to stop learning Arabic.

The police showed the family a search warrant (seen by Forum 18) signed by Olmazor District Police's Deputy Police Chief and head of the Criminal Investigation Department (CID), Dilmurod Kulliyev, and endorsed by District Prosecutor Oybek Mannanov. However, the family refused to let the Police officers in.

The warrant was signed and endorsed on 6 January, the day after the family filed complaints to Tashkent City and Olmazor District Prosecutor's Offices. Earlier complaints in December 2021 to the regime about being harassed similarly led to more harassment (https://www.forum18.org/archive.php?article_id=2712). The February 2022 search took place 35 days after the warrant was issued. "If our daughter is such a dangerous criminal, why did they wait for 35 days?" the family asked Forum 18.

After the family refused to let the police officers in, they violently broke into the flat (Forum 18 has seen footage of their entry). They then conducted a search.

After about an hour, and finding no "extremist or suspicious materials", police took the young woman, accompanied by her family, to Olmazor CID, the family said.

"When our daughter was being taken to a police car which, strangely, was parked a couple of hundred meters away from our building – they could have parked nearby as there was plenty of parking space – the officers surrounded us as though we were some kind of criminals and talked loudly," the family told Forum 18. "All the neighbours, who came out of their doors, saw this. It was embarrassing for us. We understood that this was a show to embarrass us in front of our neighbours." Similarly, three former prisoners of conscience were among Muslims in the southern Kashkadarya Region raided and questioned by police in November 2021. "I think they targeted us during the November campaign specifically to discredit us in front of our neighbours and the general public," (https://www.forum18.org/archive.php?article_id=2723) Gaybullo Jalilov told Forum 18.

Deputy Police Chief Kulliyev refused to tell Forum 18 on 14 March 2022 why his officers conducted the raid, why police put pressure on the family and the young woman, and why no one was arrested and put on criminal trial for torture as legally-binding human rights obligations require (https://www.forum18.org/archive.php?article_id=2699). "I cannot share this information with you," he said and put the phone down. He did not answer subsequent calls.

Tortured at Olmazor Police Station

While the woman was held in Olmazor CID, officers refused to allow the family to enter the room where they had taken the young woman for questioning. "They kept her there without water and food," the family told Forum 18. "She has suffered with anaemia since childhood and receives treatment for it regularly. She has to eat her meals on time, otherwise she starts shaking."

At 3 pm on 11 February, after more than 10 hours in police detention, "she fainted in the building corridor" when she was being taken from the CID to Olmazor "Struggle with Extremism and Terrorism Department" (https://www.forum18.org/archive.php?article_id=2699).

The family saw this as they were in the corridor, and asked officers to give her food and water. "But the officers ignored our requests," the family stated. "They placed her on a chair and, when she came to, took her to the Struggle with Extremism and Terrorism Department at the end of the corridor."

Officers questioned the woman in the "Struggle with Extremism and Terrorism Department" for another hour and a half before releasing her. "They asked whether she knew a Muslim man [a resident of Olmazor District], against whom police opened a criminal case for joining the jihadists in Syria. Of course, she answered that she doesn't know the man and never saw him or talked to him."

Against Uzbekistan's legally-binding international human rights obligations (https://www.forum18.org/archive.php?article_id=2699) under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, no official suspected of involvement in this torture has been arrested and put on criminal trial for torture. The regime routinely ignores this obligation (https://www.forum18.org/archive.php?article_id=2723).

Arabic courses used to recruit people for jihadists?

The family told Forum 18 that they found out later that the mother of the Arabic teacher, who came with the police on 11 February as a witness, also wrote a complaint to Yunusobod Police that the young woman "tried to seduce my son and asked him to marry her as a second wife [the man is married]". The mother asked in the complaint (seen by Forum 18) for the police to take measures to "stop her from breaking her son's marriage".

The family questioned the woman's claims. "Why would our daughter be interested in a married man who is twenty years older than her? We suspect that either the mother was pressured by the police to write a complaint or the Arabic teacher and his mother also cooperate with the police. Other families whose daughters attended the same courses told us that their daughters were offered by the teacher to travel with him to Syria via Turkey."

Family complains via President's website

The family told Forum 18 that they complained via President Shavkat Mirziyoyev's official website about the raid and torture as soon as they reached home on 11 February after police released their daughter. "I guess as a result of this and the media attention to our problem, the police have left us alone so far," they said.

After making a complaint in December 2021 to the President about why the family was being harassed (https://www.forum18.org/archive.php?article_id=2712) and the woman had been added to the Preventative Register (https://www.forum18.org/archive.php?article_id=2699), the Presidential Administration referred the complaint to Yunusabad Police and the SSS secret police. They demanded to know why a complaint had been made to the President and the harassment campaign against the family increased (https://www.forum18.org/archive.php?article_id=2712).

On 16 February 2022, the mahalla (local district) committee (https://www.forum18.org/archive.php?article_id=2699) invited the family in. Officials gave them a letter with the official stamp of the Committee and signed by its Chair as well as the local police

officer saying that "the facts in [the Arabic teacher's mother's] complaint could not be corroborated". The family said that the local police officer told them verbally that the complaint had been "dismissed".

And on 8 March, the local mahalla Committee invited the family to the Committee building and gave them a gift card and an official letter (Forum 18 has seen both) where it wrote: "We congratulate you on the good upbringing of your daughter and her exemplary behaviour." They also gave the family gifts on the occasion of 8 March, International Women's Day. "They gave us a crystal vase and 2 kilos of beef."

Muslim fined for allowing namaz prayers in his office

Another local Muslim targeted by the authorities in Tashkent during the wider raids was Farkhod Rakhmonov, a businessman who has his own car showroom in the central Yakkasaray District. District Police raided his business on 12 January and found that he had allowed his employees to conduct Muslim prayers at work, according to the subsequent court decision.

On 14 February, Judge Alisher Jalilov of Tashkent's Yakkasaray District Criminal Court fined Rakhmonov under Administrative Code Article 201, Part 2 ("Violation of the procedure for holding religious meetings, street processions, or other religious ceremonies") (https://www.forum18.org/archive.php?article_id=2699) for allowing his employees to conduct the namaz prayer in his work place.

The punishment under this provision is a fine between 80 and 100 base units (about 8 to 10 months' average wage) or up to 15 days' jail. Judge Jalilov fined Rakhmonov 80 base units, 21,600,000 Soms.

Yakkasaray District Criminal Court did not answer the phone on 14 March.

In his decision, Judge Jalilov points out that during their raid on 12 January, Yakkasaray District Police "established that violator Rakhmonov created conditions for his employees to conduct namaz prayers in the showroom registered to his name".

Bahodiyr Eliboyev, an independent human rights defender, objected to the prosecution of Rakhmonov simply for allowing employees to pray at work. "Faith is a natural need of a religious person, just like their physical needs," he told Forum 18 from Tashkent. "Individuals should not be restricted in their choice of a place where they can pray. If there is a special room or a corner where Muslims can conduct their prayer, why should that be punished? This is a violation of religious freedom by the state."

Eliboyev said that he does not know Rakhmonov, "but many Muslim bloggers condemned the fine on social media as a violation". He said he did not know whether or not Rakhmonov paid the fine or appealed against it.

Tashkent City Criminal Court told Forum 18 on 16 March that it had received no appeal from Rakhmonov.

Raids against Muslims, house searches, arrests, criminal cases

Tashkent Police launched a further campaign in mid-February against Muslim residents of the capital, it informed the public on 20 February through its official Telegram channel.

"Law-enforcement agencies as a result of a joint operation arrested 24 members of an illegally-operating extremist organisation within the boundaries of Tashkent Region and Tashkent City," Tashkent Police said. It claimed that the authorities "found and confiscated religious literature with fanatical religious ideas and propaganda of terrorism inside the flats of these individuals".

Tashkent Police stated that criminal cases were opened against the men, but without specifying under what charges. Police then warned the public "especially our youth, not to be deceived by the invitations [to join the Muslim faith] of dubious social networks, and not to use, store or disseminate materials that threaten public order, which is a violation of the Law".

Officials (who did not give their names) who answered the phones on 23 February of Major-General Aziz Tashpulatov, Chief of Tashkent Police, refused to comment on why police launched the raids and arrested the men. They also refused to put Forum 18 through to Chief Tashpulatov or any other officials.

A human rights defender from Tashkent, who asked not to give their or the prison's details for fear of state reprisals, told Forum 18 on 28 February that a Tashkent prison "became filled up in February with Muslim men, detained on alleged extremism and terrorism charges". They said they know of some of the men, but could not reveal their names or details.

Another human rights defender from Tashkent, who asked not to be named for fear of state reprisals, told Forum 18 on 28 February that a source in Tashkent police claimed to him that the men were "arrested because they were suspected that they may be connected to a terrorist organisation but that the case was closed now". However, the source did not clarify to the human rights defender

whether or when the arrested men will be released.

From November 2021 onwards, many Muslims exercising their freedom of religion and belief have been detained using "terrorism" as an excuse (https://www.forum18.org/archive.php?article_id=2723). Targeting men who meet to learn about Islam and pray with police agent provocateurs and jailing them (https://www.forum18.org/archive.php?article_id=2692) has been increasing since 2019, normally using false "terrorism" charges (https://www.forum18.org/archive.php?article_id=2640).

Female Islamic teachers raided, fined

Also in early February, Tashkent City Police and Police of the city's north-western Shaykhantokhur District conducted a "joint crime prevention operation", Tashkent City Police informed the public through its official Telegram channel on 17 February. The operation "established" that four Muslim women "without appropriate authorisation and education, taught Islam in an education centre, using religious literature".

Police and court officials identified the four women as 42-year-old Munira Sodiqla, 33-year-old Nasiba Maliqla, 47-year-old Mashkura Sodiqla, and 40-year-old Munisa D. (last name unknown). Tashkent Police prepared a case against the women under Administrative Code Article 241 (https://www.forum18.org/archive.php?article_id=2699) and referred the case to the Court, it said. This Article bans "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 punishment is two weeks' to one month's average wages, or up to 15 days in jail.

On 8 February, Shaykhantokhur District Criminal Court fined the four women two weeks' average wages each, 1,350,000 Soms, a court official told Forum 18 on 16 March. The women did not appeal against the punishments, the official added.

Tashkent City Criminal Court told Forum 18 on 16 March that although appeals had been lodged to the court in 2022 about cases under Administrative Code Article 241 (https://www.forum18.org/archive.php?article_id=2699) from several other District Courts of the city, none had come in from Shaykhantokhur District Criminal Court.

Shaykhantokhur District Police Chief, Colonel Oybek Murodov, and representatives of other unnamed state agencies held a meeting with local people in Shaykhantokhur Police Station in mid-February about the case. "In the meeting, officials discussed the reasons for and consequences of such violations of the Law, as well as the role and responsibility of citizens in the prevention of violations and crimes." Officials reminded local people about the "main principles" of the Religion Law (https://www.forum18.org/archive.php?article_id=2699), they stated.

Colonel Murodov on 23 February refused to talk to Forum 18 about police raids on the Muslims in Shaykhantokhur District, the administrative cases against the four Muslim women in his District or why he summoned the residents of the District and instructed them to inform the police about those who exercise freedom of religion or belief.

Through his Assistant (who did not give his name), Colonel Murodov referred Forum 18 to Alimardon Khaitov, Chief of the Passport Control Police of Tashkent's Shaykhantokhur District. Khaitov on 23 February also refused to talk about the cases against the four women. "I do not know anything," he told Forum 18 and declined to talk further.

Baptists' homes raided for "unapproved" religious literature

Non-Muslim religious communities in Tashkent and elsewhere - including Baha'i, Hare Krishna, Jehovah's Witnesses and various Protestant communities - told Forum 18 in early March that neither they nor their members have faced raids or any other punishments from the authorities in recent months.

One exception is a community in the eastern city of Fergana of the Council of Churches Baptists, who choose not to seek state permission to exercise freedom of religion or belief.

In autumn 2021, Fergana Police raided the homes of local members, hunting for "unapproved" religious literature, Council of Churches Baptists told Forum 18 on 9 March 2022. "After our members wrote complaints to the official website of the President, the Regional Police stopped the raids," they added. None of the Baptists was fined or punished.

The regime imposes severe censorship on all religious literature (https://www.forum18.org/archive.php?article_id=2699) published in or imported into the country.

Arifkhojayev's prison term upheld

On 10 March, a panel of three judges at Tashkent City Criminal Court, chaired by Judge Dilshod Rajabov, upheld the seven and a half year prison term (https://www.forum18.org/archive.php?article_id=2716) given to Fazilkhoja Arifkhojayev for criticising state-appointed imams, his lawyer Sergei Mayorov told Forum 18 from Tashkent on 14 March. The family intends to lodge a

cassation appeal to a higher court, he added.

"Arifkhojayev will now be transferred to a prison on 22 March," Mayorov told Forum 18. "It is not determined yet to which prison. He is on quarantine now in the same detention prison."

Judge Rajabov through his Assistant Dilshod Norkulov told Forum 18 on 14 March that he does not wish to discuss Arifkhojayev's case. Norkulov referred all questions to the Court's Press Service. However, Sadoqat Allaberganova, the Press Secretary, refused to talk to Forum 18 the same day.

In June 2021, Arifkhojayev, a Muslim known for his criticisms on social media of the regime's religious policies, attended Tukhtaboy Mosque in Tashkent's Olmazor District (https://www.forum18.org/archive.php?article_id=2673) to hear visiting preacher Abror Abduazimov preach and lead a discussion on Islamic topics. Arifkhojayev asked Abduazimov why he insulted Arifkhojayev and other Muslims on social media, and called Abduazimov a "hypocrite".

Two days later, after complaints from informers working with Olmazor Police, police arrested Arifkhojayev (https://www.forum18.org/archive.php?article_id=2673), opened a case against him under Administrative Code Article 183 ("Petty hooliganism"), and searched his phone. A Religious Affairs Committee "expert analysis" found what it claimed to be "religious fundamentalism" on the phone.

Also on 28 June 2021, Tashkent's Olmazor District Criminal Court sentenced Arifkhojayev to a 15-day jail term (https://www.forum18.org/archive.php?article_id=2673) for alleged "petty hooliganism". Other local Muslims were in 2021 been given 15-day jail sentences for asking whether state-appointed imams properly observe and teach Islam.

On 14 July 2021 a court ordered prisoner of conscience Arifkhojayev to be held in three-month pre-trial detention and investigated under this charge. The judge refused to explain to Forum 18 why he did this.

As prisoner of conscience Arifkhojayev began his sentence his beard was shaved off, and he was tortured by being given poor food, being kept in solitary confinement, and being denied a shower and fresh clothing (https://www.forum18.org/archive.php?article_id=2673). Officers Abdurakhmon, Botyr and Saidislom (who refused to give their last names) from Tashkent Police "Struggle with Extremism and Terrorism Department" (https://www.forum18.org/archive.php?article_id=2699) came to Arifkhojayev's cell regularly to insult and threaten him with physical torture when he asked to see his lawyer.

On 26 January 2022, after a two-day trial, Tashkent's Olmazor District Criminal Court handed Arifkhojayev a seven and a half year jail term (https://www.forum18.org/archive.php?article_id=2716).

Arifkhojayev was jailed under Criminal Code Article 244-1, Part 3 (d) (https://www.forum18.org/archive.php?article_id=2699) ("Production, storage, distribution or display of materials containing a threat to public security and public order" "using the mass media or telecommunication networks, as well as the world wide web"). Judge Zakhiddin Nuriddinov ordered that Arifkhojayev's prison term be counted from 13 July 2021, when he was put under pre-trial arrest.

Yelena Uralyeva, who chairs the Human Rights Alliance, and other human rights defenders were not allowed into the courtroom (https://www.forum18.org/archive.php?article_id=2716) on 25 January to observe Arifkhojayev's trial. (END)

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

For background information, see Forum 18's Uzbekistan religious freedom survey (https://www.forum18.org/archive.php?article_id=2699)

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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