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TAJIKISTAN: Banned from wearing mourning clothes, arrested, tortured

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

The regime targets women who dress as they choose, including wearing hijab. "I don't want to stop wearing the hijab, so I try to avoid the police," one told Forum 18. Many Islamic rites and ceremonies are banned, including mourning customs. On 27 June police stopped Elobat Oghalykova for wearing a black dress to mark one of her sons' death, took her to a police station and tortured her. After she and her son made formal complaints, police threatened both with 15 days' jail.

Tajikistan continues to target women wearing the hijab (Islamic headscarf), but human rights defenders and Muslims state that such cases seem at present to be isolated and not large-scale. Women still feel that they cannot dress in the way they choose. After seeing police forcibly remove a hijab from a woman, one woman said she tries to avoid the police and no longer travels outside her district. Police detained, took to the police station and tortured a 59-year-old woman who wore a black dress to mourn the death of her son. When she and another son complained, police threatened both with 15 days' jail.

One Muslim woman, who asked not to be named for fear of state reprisals, told Forum 18 that "I have been afraid ever since I saw a police officer forcibly take a hijab off a woman's head in front of a shopping centre". She added that "I heard his shouts and insults against her, and I ran away." The woman told Forum 18 that "now I don't go beyond my district when I go out to buy groceries. I don't want to stop wearing the hijab, so I try to avoid the police" (see below).

The regime has also banned the carrying out of many Islamic rites and ceremonies. On 27 June, Elobat Oghalykova tried to attend a concert in a public park close to her home in Spitamen District in the northern Sughd Region. She was wearing a black dress to mark the death of one of her sons, following Tajik Islamic mourning customs for the 40 days after a death is known (see below).

In September 2017, the regime banned the wearing of black clothes to mourn the dead, and imposed other strict restrictions on what Muslims may and may not do to mourn the dead (see below).

Police officers Jahongir and Odil (who refused to give their last names) stopped Oghalykova and told her that "your dress does not suit the concert and the celebration. You cannot enter." She tried to explain that she is mourning the death of one of her sons, and would like to attend the concert. However, the police officers "became angry and took her to Spitamen Police Station", another of her sons told Forum 18.

While being held at the Police Station for around seven hours she was then tortured by officers including the Deputy Head of Spitamen Police, Khaydarali Sharifzoda. They beat Oghalykova on her head, her back, and shoulders. She fainted, fell down, and was unconscious for a short time, her son told Forum 18.

Oghalykova was taken by her son to Spitamen Central State Hospital's Accident and Emergency Department, where she was examined and given a painkiller injection. When she told surgeons that she had been tortured by police, they changed medical reports and warned Oghalykova not to complain about being tortured, her son told Forum 18. Otherwise, one surgeon warned her, the police would inflict worse injuries on her (see below).

Oghalykova's son saw that his mother had visible bruises on her head, hands, legs, and shoulders. He had not seen those injuries on her before police arrested her. One surgeon insisted to Forum 18 that Oghalykova's injuries were not caused by police and were caused before 27 June. When Forum 18 asked why he concludes that an older injury could not have been inflicted by police, he paused and said: "I need to ask higher authorities to talk to you." He repeated this answer when Forum 18 asked why he threatened Oghalykova and her son.

Oghalykova on 27 June complained in writing to the Head of Spitamen Police Alijon Raufzoda and Sughd Regional Prosecutor's Office about being tortured. No action has been taken on these complaints. However, Sughd Regional Prosecutor's Office summoned both surgeons "for a talk" in early July, her son told Forum 18. He himself was threatened by Spitamen's Deputy Police Head unless he took down online videos and his mother withdrew her torture complaints (see below).

The Head of Spitamen Police and the Interior Ministry refused to explain to Forum 18 why Ogalykova cannot mourn for her son in her own way, why police officers tortured her, and why the regime does not fulfil its obligations under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to both arrest suspect torturers and put them on criminal trial for torture (see below).

"The regime is struggling for the hearts and minds of people"

Emomali Rahmon's regime has been marked by multiple human rights violations, including jailing Muslim, Jehovah's Witness, and Protestant prisoners of conscience (https://www.forum18.org/archive.php?article_id=2625) for their exercise of freedom of religion and belief. Officials continue to enjoy impunity for multiple instances of torture of Muslims, Jehovah's Witnesses, and Protestants (https://www.forum18.org/archive.php?article_id=2582).

The regime seeks to impose state control of society. A court jailed Imam Sirojiddin Abdurahmonov (widely known as Mullo Sirojiddin) in February 2021 for five years and six months (https://www.forum18.org/archive.php?article_id=2642), along with an unknown number of others, for participation in a private group learning about Islam.

"The main purpose of arresting Imam Abdurahmanov was to allow only state-appointed and approved imams to speak publicly," a human rights defender told Forum 18 after his conviction. "Most independent imams are now afraid to speak publicly. The regime is struggling for the hearts and minds of people."

Among current prisoners of conscience (https://www.forum18.org/archive.php?article_id=2760), Imam Mahmadsodyk Sayidov, Abdugafor Rajabov, and Aslamkhon Karimov were on 4 June 2021 jailed for five years (https://www.forum18.org/archive.php?article_id=2678).

The 28-year-old Imam Sayidov was the state-appointed imam of the Nonvoyi Poyon [residential district] Mosque in Kulob, which the other two men attended. National Security Committee (NSC) secret police officers arrested Imam Sayidov immediately after he refused to preach a State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) provided sermon and preached his own sermon instead. Imam Sayidov's own sermon asked why the SCRA described 8 March (International Women's Day) as a "sacred holiday" which Muslims must celebrate (https://www.forum18.org/archive.php?article_id=2678) while the regime bans the carrying out of Islamic rites and ceremonies (https://www.forum18.org/archive.php?article_id=2625).

At around the same time the regime intensified its campaign against women wearing the hijab (https://www.forum18.org/archive.php?article_id=2676) (Islamic headscarf). The police, the State Committee for Women and Family Affairs, and the Interior Ministry all refused to explain to Forum 18 why male police officers nationwide are not stopped from deliberately and publicly bullying and harassing women wearing hijab.

Targeting of hijab-wearing women continues, impact of regime campaigns

Such targeting of women wearing the hijab continues, human rights defenders and Muslims stating that such cases seem at present to be isolated and not large-scale.

One Muslim woman, who asked not to be named for fear of state reprisals, told Forum 18 that "I have been afraid ever since I saw a police officer forcibly take a hijab off a woman's head in front of a shopping centre". She added: "I heard his shouts and insults against her, and I ran away."

The woman told Forum 18 that "now I don't go beyond my district when I go out to buy groceries. I don't want to stop wearing the hijab, so I try to avoid the police."

Banned from wearing mourning dress, arrested

On 27 June at 9:30 in the morning, 59-year-old Elobat Oghalykova tried to attend a concert in a public park close to her home in Spitamen District in the northern Sugd Region. The concert was to mark the Day of National Unity, and was held close to the Palace of Culture. Oghalykova was wearing a black dress to mark the death of one of her sons, following Tajik Islamic mourning customs for the 40 days after a death is known. He died in Russia, and she had just been informed of his death.

In September 2017, the regime banned the wearing of black clothes to mourn the dead (https://www.forum18.org/archive.php?article_id=2625), and imposed other strict restrictions on what Muslims may and may not do to mourn the dead. It also imposed severe restrictions on other Islamic customs.

A human rights defender, who wished to remain anonymous for fear of state reprisals, told Forum 18 in October 2017 (https://www.forum18.org/archive.php?article_id=2625) that the "authorities are radicalising Muslims by such actions". They noted that "the authorities say that they are for national values, but these regulations are actually getting rid of Tajik traditions which have

existed for centuries". The human rights defender also commented: "This is stupidity! Instead of finding real terrorists they punish innocent people."

Police officers Jahongir and Odil (who refused to give their last names) stopped Oghalykova and told her that "your dress does not suit the concert and the celebration. You cannot enter." She tried to explain that she is mourning the death of one of her sons, and would like to attend the concert. However, the police officers "became angry and took her to Spitamen Police Station", another of her sons told Forum 18 on 11 July.

Tortured

At Spitamen Police Station, the Deputy Head of Spitamen Police, Khaydarali Sharifzoda, and officers Jahongir and Odil beat Oghalykova on her head, her back, and shoulders. She fainted, fell down, and was unconscious for a short time, her son told Forum 18.

Women who wore hijabs have been tortured at police stations (https://www.forum18.org/archive.php?article_id=2553), and when they complain about the torture have been fined. Tajikistan is obliged under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to both arrest and put on criminal trial for torture any official suspected of torture. This has not happened (https://www.forum18.org/archive.php?article_id=2625).

Officers held Oghalykova at the Police Station for about seven hours, before releasing her around 17:00 in the afternoon, another son Abdusattor Qobilov told Forum 18. He took Oghalykova to Spitamen Central State Hospital's Accident and Emergency Department, where trauma surgeon Naimjon Boboyev examined her and gave her a painkiller injection.

Oghalykova remained in the hospital overnight, and on 28 June surgeon Boboyev told her she could leave and that he was writing up her medical report. When Oghalykova told Boboyev that she had been tortured by police officers, he changed his medical report and warned her not to complain about being tortured. Otherwise, Boboyev warned her, the police would inflict worse injuries on her.

Medical reports

Qobilov saw that his mother had visible bruises on her head, hands, legs, and shoulders. He had not seen those injuries on her before police arrested her. He asked Boboyev to write the truth in his medical report, he told Forum 18, but Boboyev threatened the son that the police would torture his mother again and warned them not to complain about torture.

Surgeon Boboyev's report, which Forum 18 has seen, notes the bruises but states that these could not have been inflicted by police, and the injuries must have been caused before 27 June.

Oghalykova and her son sought a second medical opinion from Khumoyun Kushmurodov of the Spitamen Forensic Medical Examination Department. He examined Oghalykova on the morning of 28 June, but when she said she had been tortured he called surgeon Boboyev. Kushmurodov's report, which Forum 18 has seen, is very similar to Boboyev's report.

Surgeon Boboyev insisted to Forum 18 on 13 July that Oghalykova's injuries were not caused by police and were caused before 27 June. When Forum 18 asked why he concludes that an older injury could not have been inflicted by police, he paused and said: "I need to ask higher authorities to talk to you." He repeated this answer when Forum 18 asked why he threatened Oghalykova and her son.

Surgeon Kushmurodov on 14 July put his phone down when Forum 18 introduced itself.

Marufjon Khojiboyev of Sugd Regional Healthcare Department on 13 July refused to explain why both surgeons thought they should produce reports denying that police tortured Oghalykova.

No prosecution of suspect torturers, threats against targets

Oghalykova on 27 June complained in writing to the Head of Spitamen Police Alijon Raufzoda and Sugd Regional Prosecutor's Office about being tortured. No action has been taken on these complaints. However, Sugd Regional Prosecutor's Office summoned both surgeons "for a talk" in early July, Qobilov told Forum 18.

Firdavs Azizzoda, assistant to Sugd Region Chief Prosecutor Furkat Khojazoda, refused to explain to Forum 18 why both surgeons were summoned to the Prosecutor's Office, and why the regime does not fulfil its obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (https://www.forum18.org/archive.php?article_id=2625) to both arrest suspect torturers and put them on criminal trial for torture.

Oghalykova's son Qobilov also talked to Radio Free Europe and posted videos online. Spitamen Police on 30 June opened a case against Oghalykova and Qobilov under Administrative Code Article 479 ("Disobedience to a lawful order of a police officer or other

persons carrying out duties for the protection of public order"). The maximum penalty is 15 days' jailing.

Spitamen's Deputy Police Head Sharifzoda on both 6 July and 9 July summoned Qobilov for a talk on the street. "Both times Sharifzoda came with two of his subordinates," Qobilov told Forum 18, "and warned me that unless I take down the videos and my mother withdraws her torture complaints they will jail us for 15 days."

Head of Spitamen Police Raufzoda refused on 12 and 13 July to explain to Forum 18 why he threatened Qobilov, why Oghalykova cannot mourn for her son in her own way, why his police officers tortured her, and why the regime does not fulfil its obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (https://www.forum18.org/archive.php?article_id=2625) to both arrest suspect torturers and put them on criminal trial for torture.

Interior Ministry officials, who refused to give their names, on 14 July also refused to answer these questions.

Oghalykova told Radio Free Europe's Tajik Service on 15 July that Deputy Head of Spitamen Police Sharifzoda had not apologised, but had given her 2,500 Somonis (2,430 Norwegian Kroner, 240 Euros or 250 US Dollars) towards the cost of medical treatment and medicines. (END)

More reports on freedom of thought, conscience and belief in Tajikistan (<https://www.forum18.org/archive.php?country=31>)

For background information, see Forum 18's Tajikistan religious freedom survey (https://www.forum18.org/archive.php?article_id=2625)

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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