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UZBEKISTAN: Raids, large fines, torturers and thieves unpunished

By Mushfig Bayram, Forum 18

After a 19 November raid, Protestants are threatened with prosecution for having legally-bought religious literature. Officials who in September tortured Protestants and thieves who stole property from them remain unpunished. And 16 male police officers together "humiliated and pressured" a 19-year-old female Jehovah's Witness.

Police in Pap in Uzbekistan's eastern Namangan Region on 19 November raided a group of Protestants meeting in a home for a meal and to read the Bible. Police searched the flat illegally without a search warrant and confiscated legally-bought literature including Bibles. Officers arrested all eight Protestants and took them to Pap Police Station, where they were questioned until 3 am the next morning. Police forced most of the Protestants to sign statements written – illegally - by police, and said that they might be prosecuted for possession of the religious literature they legally bought.

After a late September police raid on a group of 40 Protestants meeting in Tashkent Region, where police "psychological pressure" resulted in a woman and a 5-year-old girl being hospitalised, large fines have been imposed on many of the participants. Four women who accompanied police on the raid were used as witnesses in the case, despite being accused by Protestants of stealing property from some of the Protestants. Neither the thieves nor the officials suspected of torture were prosecuted.

Police claimed to Forum 18 that "we did not bring them but they happened to be there. I do not know about any stolen items from the bags", and refused to answer questions about torture. Multiple illegalities took place during the trial, and when asked why the Judge did not question the role of the women used by police as witnesses who are accused of theft, his Assistant replied "I don't know, he just didn't" and then put the phone down (see below).

After a female Jehovah's Witness in the south-western Jizak Region had her phone confiscated by police and religious materials were found on it, a prosecution was opened against her. Diyor Latipov, Head of the regional police Struggle with Extremism and Terrorism Department, ordered visits to other Jehovah's Witnesses in their homes or workplaces to summon them to Jizak Police Station. At the police station, officers seized their mobile phones and used threats to try to get them to write statements that they had received religious materials on their phones.

During one such interrogation, no fewer than 16 male police officers together at Jizak Police Station "humiliated and pressured" a 19-year-old woman (whose identity Forum 18 knows). Police "worked together to humiliate her and to exert extreme pressure on her in an effort to force her to write a statement," Jehovah's Witnesses complained. "The pressure was so great that she cried uncontrollably and was unable to write anything."

Asked why he and 15 other male police officers together humiliated and pressured a 19-year-old woman, one of the officers refused to answer Forum 18 and put the phone down. No prosecutions appear to have been brought against the officers concerned (see below).

Namangan Region: Raid

Police in Pap in the eastern Namangan Region on 19 November raided a group of Protestants meeting for a meal in a home. Major Mukhiddin Suvanov of Pap Police's Struggle with Extremism and Terrorism Department, ordinary police officer Lieutenant Anvar Akbarov, and six other officials – only one of whom wore uniform – participated in the raid, which began at 8 pm. When the police broke in, Ravshan Yunusov and seven other Protestants were having a meal together and reading the Bible, a Protestant who wished to remain unnamed for fear of state reprisals told Forum 18 on 20 November.

Police so-called "Struggle with Extremism and Terrorism Departments" along with ordinary police officers target people exercising their freedom of religion and belief, often conducting illegal searches of homes without a search warrant (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Police searched the flat illegally without a search warrant and confiscated three Russian-language Bibles, one Uzbek-language Bible, a Bible commentary, booklets and 72 DVDs and CDs with Christian films, songs and sermons on them. All of the confiscated literature had been bought from the state-registered Bible Society of Uzbekistan.

Uzbekistan imposes total censorship of all printed and electronic religious literature, and police often confiscate books which have passed the state's compulsory censorship (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Police also confiscated a laptop and a desktop computer.

Major Suvanov of the Struggle with Extremism and Terrorism Department refused to explain to Forum 18 on 23 November why he raided people meeting in a home, and then put the phone down. The Head of his Department, Umid Jalilov, did not answer his telephone on 23 November.

Police arrested all eight Protestants and took them to Pap Police Station, where they questioned them until 3 am the next morning. No legal warrant was produced for the detention, the Protestant stated.

Police also forced most of the Protestants to sign statements written – illegally - by police. Those who did sign did so for fear of state reprisals.

Police told the Protestants that the confiscated religious materials will be sent to the state Religious Affairs Committee in Tashkent for "expert analysis". Police also said that the Protestants may then be charged – for possession of the religious literature they legally bought.

"Expert analyses" are often used to justify the confiscation or destruction of religious texts (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314). The regime and its courts have also often ordered the confiscation of religious literature which has been legally bought (see eg. F18News 19 October 2018 http://www.forum18.org/archive.php?article_id=2424).

Tashkent Region: Raid, confiscations, theft, interrogation, torture

In Tashkent Region police on 30 September illegally raided, detained and questioned a group of 40 Protestants as they met together for a retreat and for relaxation. Police "psychological pressure" resulted in a woman and a 5-year-old girl having to be taken to hospital. Police did nothing to stop four women who accompanied them on the raid stealing property from female Protestants. Police also illegally without a search warrant confiscated numerous items of church property, and also against the law provided no written record of the confiscations (see F18News 19 October 2018 http://www.forum18.org/archive.php?article_id=2424).

Torture, particularly against women, is common used by the authorities. The authorities normally do not arrest and put on criminal trial officials suspected of this crime, breaking Uzbekistan's legally-binding obligations under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Despite President Shavkat Mirziyoyev's claims and legal changes claiming to ban torture and punish the perpetrators, torture continues, with many afraid to complain for fear of state reprisals (see F18News 1 May 2018 http://www.forum18.org/archive.php?article_id=2374).

Tashkent Region: Neither thieves nor torturers prosecuted

However, neither the thieves nor the officials suspected of torture were prosecuted. Instead, 31 Protestants were prosecuted under Administrative Code Articles: 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"); 201 Part 2 ("Violation of the procedure for holding religious meetings, street processions, or other religious ceremonies"); 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").

These three Administrative Code articles are often used to prosecute people exercising their freedom of religion and belief (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Officer Dilshod Aripov of Bostanlyk Police Department of Struggle against Extremism and Terrorism, who took part in the raid, claimed to Forum 18 on 23 November about the women brought by police on the raid: "We did not bring them but they happened to be there. I do not know about any stolen items from the bags." He refused to answer questions about the torture which took place.

Tashkent Region: Unfair trial

During the trial at Kibrai District Administrative Court on 30 October multiple violations of due legal process occurred, Protestants who asked not to be named for fear of state reprisals told Forum 18 on 20 November. For example:

- the hearing did not take place in Bostanlyk Court as it by law should have, as this is where the alleged "offences" took place;
- the Court's decision does not mention the confiscated Church property;
- and four women named in the verdict as witnesses do not, Protestants state, live at the addresses the verdict says they live at. Protestants told Forum 18 that they are ex-convicts who have been used as witnesses in other cases, and Protestants accuse the four women of during the raid stealing property from Protestant women.

Unfair trials and flagrant violations of due process are common in Uzbekistan (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Tashkent Region: Fines, deportations

Judge Akhror Yeraliyev imposed the following fines at the end of the trial:

Nargiza Ashurova was fined 20 times the minimum monthly wage, or 3,686,000 Soms;

Berdimurad Parpiyev and Sukhrob Jurayev were each fined 15 times the minimum monthly wage, or 2,764,500 Soms;

Shakhnoza Umarova, Nigina Bozorova, Miyassar Mirsagatova, Rita Kogai, Azizali Sagindikov, Khakim Nurkhanov, Dilafuz Shadiyeva, Makhmudjon Zakirov, the brothers Mirzakhmed and Saidakhmad Akramov, Sahobiddin Umarov, Mavjuda Tursunova, Ortik Jurayev, and Nazirjon Abdurasulov were each fined each 10 times the minimum monthly wage, or 1,843,000 Soms;

Nigora Kurbonova, Zuhra Khaitova, Nodira Mukhsinova, Mansur Sultonov, Omadbek Kodyrov, Valentina Zakirova, Mekhrinisso Nurkhanova, Sunnat Alimov, Karomat Yuliyeva, and Nadezhda Pak were each fined five times the minimum monthly wage, or 921,500 Soms;

and four South Koreans, Park Gibong, Chong Khengsu, Park Yong Sook, and Choi Chung Sub were ordered to be deported. Gibong and Khengsu had left Uzbekistan before the trial.

Tashkent Region: "I don't know, he just didn't"

Judge Yeraliyev on 23 November refused to discuss with Forum 18 the case, the failure to prosecute the thieves and torturers, and the illegalities of the hearing. After asking Forum 18 "are you familiar with the case?", when Forum 18 said "yes" he then responded: "I will not talk to you. Please, call the Supreme Court."

His Assistant, who refused to give his name, when asked why the Judge did not ask questions about the torture, claimed that "he will raise that question next time". Asked why the Judge did not question the role of the women used by police as witnesses who are accused of theft, the Assistant replied: "I don't know, he just didn't." He then put the phone down.

Jizak Region: Police "humiliated and pressured" 19-year-old woman

On 26 May, Bobur Boymurodov of the south-western Jizak [Jizzakh] Region Police Struggle with Extremism and Terrorism Department summoned a female Jehovah's Witness, Muborak Abdurakhmanova, for questioning. He confiscated her mobile phone, found religious materials on it, and initiated charges against her under Administrative Code Article 240 ("Violation of the Religion Law").

The strict state censorship of all religious materials includes material on electronic devices, which the authorities actively search for and punish possession of (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Afterwards, Diyor Latipov, Head of the regional Struggle with Extremism and Terrorism Department, ordered visits between 31 May and 5 June to other Jehovah's Witnesses in their homes or workplaces to summon them to Jizak Police Station. Their mobile phones were confiscated, and police used threats to try to get them to write statements that they had received religious materials from Abdurakhmanova's mobile phone.

At Jizak Police Station on 31 May, no fewer than 16 male police officers together "humiliated and pressured" one 19-year-old woman (whose identity Forum 18 knows), other Jehovah's Witnesses told Forum 18 on 21 November.

Officers of the Struggle with Extremism and Terrorism Department, including Nadir Uralov, "worked together to humiliate her and

to exert extreme pressure on her in an effort to force her to write a statement that her fellow believer Abdurakhmanova had sent files with religious content to her" Jehovah's Witnesses complained. "The pressure was so great that she cried uncontrollably and was unable to write anything." The interrogation only stopped when the woman's non-Jehovah's Witness father came to Jizak Police Station to protest about her summons.

Latipov of the regional Struggle with Extremism and Terrorism Department's Assistant, who refused to give his name, would not answer on 23 November when Forum 18 asked him why 16 male police officers together used such extreme pressure against a 19-year-old woman. He also refused to answer when Forum 18 asked why male police particularly target female members of religious communities. After consulting with Latipov for a few moments, the Assistant then told Forum 18 that Latipov "is not available to talk to you".

Women of all faiths have been particularly targeted and assaulted by male officials, including with the use of sexual violence. There are strong social pressures against women speaking out about male violence, as cultural traditions of "honour" can destroy a woman's reputation (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

For example, women in an Urgench Protestant Church have been targeted by male officials, accompanied by flagrant violations by police, bailiffs, and a court of due legal process (see eg. F18News 31 May 2018 http://www.forum18.org/archive.php?article_id=2383).

Jehovah's Witnesses told Forum 18 that police "routinely confiscate all electronic devices and religious literature. Electronic devices are carefully examined for social networks and downloaded apps". Even if police cannot find evidence that religious literature was electronically distributed, charges for this "offence" are often brought and fines imposed.

This continues to happen despite some Supreme Court rulings ordering material to be returned and fines to be repaid. Asked on 23 November by Forum 18 why such searches and prosecutions still happen, Supreme Court spokesperson Mansur Ergashev claimed that "the Supreme Court tries to explain to lower courts case by case where exactly they erred".

Officer Uralov of the regional Struggle with Extremism and Terrorism Department on 23 November refused to tell Forum 18 why such searches and prosecutions still happen, claiming "I cannot tell you why". Asked why he and 15 other male police officers together humiliated and pressured a 19-year-old woman he put the phone down.

No prosecutions appear to have been brought against the officers concerned, despite Uzbekistan's legally-binding obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

This 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". (END)

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>.

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.

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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