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UZBEKISTAN: Prison death result of accident, illness, torture, neglect?

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Nearly three years into a ten-year prison term, Nilufar Rahimjanova died on about 13 September aged 37 in the women's labour camp near Uzbekistan's capital Tashkent. Relatives say the mother of four was imprisoned to punish her Iran-based husband and her Tajikistan-based father, both Muslim theologians the Uzbek authorities do not like. Rahimjanova's body was handed not to her husband or father, but to her brother in Tashkent. He was told to bury it quickly in Uzbekistan without conducting a post-mortem examination. Erkin Bobokulov, Deputy Head of the Interior Ministry's Chief Directorate for the Enforcement of Punishments, declined to talk about Rahimjanova's death in labour camp over the phone. "I don't know the details exactly," he told Forum 18 News Service. Asked whether the prison authorities took steps to save Rahimjanova's life, Bobokulov did not respond.

Nearly three years after her arrest and just a day or two after her 37th birthday, prisoner of conscience Nilufar Rahimjanova died in a labour camp near Uzbekistan's capital Tashkent on about 13 September, Forum 18 News Service has learnt. Relatives say the Muslim mother of four had been imprisoned on a return visit to her homeland as a way to punish her husband – a Tehran-based theologian and blogger – and her father – a Tajikistan-based theologian the Uzbek authorities do not like.

The cause of Rahimjanova's death in the camp for female prisoners in Zangiota District, just north of Tashkent, remains unknown. Forum 18 was unable to reach the Zangiota women's camp.

Rahimjanova's body was handed not to her husband or father, but to her Tashkent-based brother. He was told to bury it quickly in Uzbekistan without conducting a post-mortem examination, exiled human rights defender Nadejda Atayeva of the Association for Human Rights in Central Asia noted on 23 September. Relatives buried Rahimjanova in Tashkent.

Atayeva fears that Rahimjanova might have died of neglect or torture. Citing "independent sources", she notes that Rahimjanova did not suffer from any chronic medical conditions before her arrest. "But in prison she fell ill and was very frightened and tense. One day she admitted that she was constantly pressured to testify against her husband and father, which brought her to tears."

"No one has so far addressed our office about her," Saidbeg Azimov, Assistant of Sayora Rashidova, Parliament's Human Right Ombudsperson, told Forum 18 from Tashkent on 21 October. "If an official request is addressed to us, we will investigate the case."

"I knew what your guilt consisted of"

Rahimjanova's widower Yunus Burhanov, who also goes by the name Saiyidyunus Istaravshani (after his hometown in northern Tajikistan), addressed a letter to her after her death. "Ever since you were arrested and imprisoned on false charges, I had no peace even for a minute," he was quoted by Tajik news agency Newtjk.com on 19 September as writing.

"I knew what your guilt consisted of – simply this: you were the daughter of your father and my wife! In reply to my letter to the court, they asked me to wait just three years and to say nothing about anything and not to spread news through the media, as you would be freed under amnesty! I believed this and didn't open my mouth simply for the hope of seeing you again!"

Burhanov says that all the accusations against his late wife were "completely fabricated", with the one exception of charges of illegally crossing the border. "The biggest lie was the accusation of terrorism and preparing a terrorist attack, as my beloved wife could never have contemplated this," he told Forum 18 on 22 October.

He also insisted that Uzbek state allegations that he too was involved in terrorism were similarly untrue. "As a scholar of Islam, I have always tried to portray Islam as a peaceful religion and I always countered extremism," he added. "But they slandered me as well, claiming that I had incited my wife to conduct such actions."

United Nations complaint being prepared

On 25 September, Burhanov appealed in an open letter to the United Nations (UN) Human Rights Council – published on his blog - for an international investigation into Rahimjanova's death. He also called for those involved in her death to be prosecuted.

"I understand that my wife will not return," Burhanov wrote in his open letter. "However, if those responsible for her death receive harsh punishment, this could serve to save many men and women from slander, fabrications, falsifications, unjust verdicts and death."

Burhanov is preparing to send the letter as a formal complaint to the UN human rights mechanisms in Geneva once he has all the necessary documentation from his lawyer, he told Forum 18.

Accident? Illness? Torture? Neglect?

Uzbekistan's prisons are overseen by the Interior Ministry's Chief Directorate for the Enforcement of Punishments. Told that Rahimjanova's relatives insist that she did not have serious health problems before she was imprisoned, and asked why she died, Erkin Bobokulov, Deputy Head of the Chief Directorate, declined to talk about the case over the phone. "I don't know the details exactly," he told Forum 18 from Tashkent on 21 October.

Asked whether the prison authorities took steps to save Rahimjanova's life, Bobokulov did not respond. He asked Forum 18 to send further questions in writing.

The authorities can apparently deliberately put prisoner of consciences' lives and health at risk. For example, in the case of Muslim prisoner of conscience Khayrullo Tursunov – on a 16-year jail term for following his faith after Kazakhstan illegally extradited him to Uzbekistan – it appears that the Uzbek authorities tried to infect him with the potentially fatal disease of tuberculosis. The authorities have claimed to Forum 18 that he is cured – but if so Forum 18 notes this has taken an unusually short length of time. A relative wondered what the authorities' reasons were. "If he did not have TB why was he moved to the TB prison – and if he did why was he moved back to his original prison in such a short time?", the relative asked (see F18News 18 February 2014 http://www.forum18.org/archive.php?article_id=1930).

Torture "routine"

Violence and torture, or threats of this, by police and other officials are "routine" the UN Committee Against Torture found in 2007. Women seem to be particularly targeted for torture and threats by male officials (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

The UN Committee Against Torture renewed its criticism in its concluding observations (CAT/C/UZB/CO/4), adopted on 14 November 2013, on Uzbekistan's record under the Convention Against Torture. "The Committee is concerned about numerous, ongoing and consistent allegations that torture and ill-treatment are routinely used by law enforcement, investigative and prison officials, or at their instigation or with their consent, often to extract confessions or information to be used in criminal proceedings," it noted (see http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fUZB%2fCO%2f4&Lang=en).

Uzbekistan has no independent monitoring of places of detention. In April 2013 the International Committee of the Red Cross (ICRC) announced that it had taken the very difficult decision to terminate all visits to detainees in Uzbekistan because it was unable to conduct such visits according to its standard working procedures and as a result, those visits were "pointless".

Uzbekistan's government has not responded to numerous requests over many years by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to visit the country.

Medical treatment withheld?

Also held in the women's prison at Zangiota where Rahimjanova died are two Muslim sisters, Mehrinisso and Zulhumor Hamdamova. Both were arrested in Karshi [Qarshi] in 2009 for holding unauthorised religious meetings. The Hamdamova sisters and Shahlo Rakhmonova (a relative of the sisters) were sentenced to up to seven years in jail in April 2010. The trial was conducted with many violations of published law, as often happens in Uzbekistan (see F18News 26 April 2010 http://www.forum18.org/Archive.php?article_id=1436).

Relatives have been worried about their health, particularly over Mehrinisso Hamdamova. She was reported in early 2014 as urgently needing medical treatment and even an operation on an apparent myoma. It is unclear how reliable the diagnosis is. A myoma is a tumour associated with uterine cancer which can be painful and is normally treated by being removed. Relatives feared that if she was left untreated in prison conditions this could endanger her life (see F18News 24 March 2014 http://www.forum18.org/archive.php?article_id=1941).

Relatives of the Hamdamova sisters were able to make a three-day visit to them in the Zangiota prison, returning home on 20

October, relatives told Forum 18 on 21 October. The authorities had allowed the family to stay in prison with the sisters on previous occasions, they added. "Their health seems to be a little better now. Mehrinisso has not been operated on yet, but she was given some medicines," one relative told Forum 18. "She said she is feeling a little better at the moment."

Relatives recently wrote petitions to the authorities to amnesty at least Mehrinisso Hamdamova since several of her children "are supposed to get married, are waiting for her, and hoping she may one day be released on amnesty."

The Hamdamova sisters' prison address is:

Uzbekistan

Tashkent Region

Zangiota tumani

Uchr. 64/1

Hamdamova Mehrinisso Imomovna

or

Hamdamova Zulhumor Imomovna

In its 2013 findings, the UN Committee Against Torture also expressed concern about officers' threats of sexual violence against "Mehrinisso and Zulhumor Hamdamova, who allege that they were forced to strip and threatened with rape by police while in custody in November 2009".

Rahimjanova's family

Rahimjanova, an ethnic Tajik, was born in the Uzbek city of Bukhara while her father, Maruf Rahimjanov, was teaching at the Mir Arab madrassah there. A noted theologian, Rahimjanov – who also goes by the name Domullo Marufjon Istaravshani – translated the Koran into Tajik and produced a commentary on it. In 1991, he wrote to Uzbek President Islam Karimov to criticise the removal of the then Central Asian chief mufti.

From 1990 to 1992 Rahimjanov served as imam of Tashkent's Kukeldash mosque and madrassah, before moving to Tajikistan. His wife (Rahimjanova's mother) remained in Tashkent with their children until her death in 2001, visiting him on occasion.

Rahimjanova married Burhanov in 1994 and moved to Tajikistan, where she gained Tajik citizenship without losing Uzbek citizenship. Her most recent Uzbek passport had been issued in 1997. Since 1994 she had lived with her husband and their children in the Iranian capital Tehran.

Burhanov teaches philosophy in Tehran and also writes and speaks on religious and political themes, including on his blog kemyaesadat.tj (Formula of Happiness) and on his YouTube channel.

Arrest

Rahimjanova made a return visit to Tajikistan in July 2011. Once there she was invited to her brother's wedding in Tashkent. Against the advice of her husband, who feared she might be arrested given the Uzbek authorities known hostility to her father and to him, she decided to go. She crossed the border at Bekabad in November 2011. Since 1999, Tajik citizens have required a visa to visit Uzbekistan but, like many who cross the border daily without a visa and who bribe the border guards, Rahimjanova did not seek a visa. She had crossed the border in this way several times between 2009 and 2011.

Once in Tashkent and before the wedding had taken place, Rahimjanova – who wore the hijab headscarf – went to the Passport Office to register her presence at her relatives. She told them she had dual Uzbek-Tajik citizenship and lived in Iran. Uzbekistan does not recognise dual nationality. The Passport Office reported her to the Prosecutor's Office. The National Security Service secret police arrested her, accusing her of illegally crossing the border. However, she was then accused of terrorist activity.

"During the investigation, they persuaded her to appear on Uzbek state television to accuse her husband of links with the [terrorist group] Islamic Movement of Uzbekistan," human rights defender Atayeva noted. The investigator told Rahimjanova that if she made such a statement she would be freed under amnesty.

Televised "confession"

During her televised statement, shown as part of a programme "Life lost in vain" on Uzbek television's first channel on 5 June 2012, Rahimjanova said her husband had sent her to Tashkent to carry out a terrorist operation.

She claimed he had made her adopt Shia Islam and had taken her to Iran and Lebanon, where she participated in "religious extremist and fundamentalist" organisations. "I had to go to there as my husband was there," she claimed on camera. "I had financial and spiritual difficulties as well as various problems. My husband made me accept the Shia denomination." She said she had obtained education at a "radical" organisation in Iran and acquired skills to use guns and bombs. "I was forced to do these tasks," she said.

The broadcast made much of what it claims was Rahimjanova's move to Shiism. "Our madhhab [school of Islam] is the Hanafi madhhab and we should strongly uphold this madhhab," Tojihon Nazarova, aide to Tashkent's chief imam for women's issues, told the programme. "Our women should not convert to another madhhab saying that their husbands are forcing them, as our Sharia [Islamic law] stipulates that changing madhhabs is a sin. Our women have the right not to obey their husbands even if they are forced to change their madhhabs, because changing a madhhab is a sin."

Rahimjanova's widower rejects any suggestion he pressured his late wife. "My wife was an educated person and was free in her choice of religion and madhhab," Burhanov told Forum 18. He said neither his late wife nor he himself were Shia Muslims.

Trial, but no verdict issued

However, a court sentenced Rahimjanova to ten years' imprisonment, apparently on charges of terrorism, spying for Tajikistan and crossing the border illegally. Two of the Criminal Code Articles she was sentenced under are believed to have been Article 155 (terrorism) and Article 223 (illegal exit from or entry to Uzbekistan), though she was possibly sentenced under others also. She told the court that she had been forced to give testimony against her husband and her father.

The court did not give a copy of the verdict to relatives, even to those based in Uzbekistan, Burhanov complained to Forum 18.

Atayeva notes that no independent observers attended Rahimjanova's trial and that her lawyer made little attempt to defend her. "No one has a copy of the verdict. Nor was there any appeal, as her relatives were promised that she would be amnestied and were asked not to make a fuss." (END)

For a personal commentary by a Muslim scholar, advocating religious freedom 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=1862.

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 can be found at http://www.forum18.org/Archive.php?article_id=1351.

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