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UZBEKISTAN: 7 prisoners of conscience jailed for between 11 and 4 years

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

Seven Muslim men who met in Tashkent to discuss Islam were in January 2021 transferred to various prisons to begin jail terms of between 11 and four years. Nine men were given restricted freedom sentences. "It is no use for us to make another appeal as nothing will change," a relative told Forum 18. In this and other cases there are credible claims of torture and the use of agent provocateurs to bring false charges.

Seven Muslim men who met in the capital Tashkent to discuss Islam were in January 2021 transferred to various prisons to begin jail terms of between 11 and four years. Tashkent City Criminal Court convicted the men - aged between 24 and 34 - on wide-ranging "terrorism" and "extremism"-related charges, which they denied. "It is no use for us to make another appeal as nothing will change," a relative told Forum 18.

Officials claimed that one of the men would be released in February, telling the family not to make an appeal. Officials now claim that the prisoner of conscience, who has been sent to a jail where prisoners have been tortured for fasting in the Muslim holy month of Ramadan, will be released in May (see below).

The seven jailed prisoners of conscience are: Fariduddin Abduvokhidov, Ranjbar Abdul, Sardor Ibragimov, Khurshid Mukhamedov, Abdul-Kudus Rizamatov, Akbar Absalov and Iskandar Iskandarov (see below).

Nine men who met to discuss Islam were in the same trial given restricted freedom sentences, under which they must be at home during curfew hours of between 9 pm and 6 am the next morning.

They must not:

- attend any entertainment places, such as cafes, restaurants, bars and tea houses;
- attend public events such as festivities during national holidays, public demonstrations, and meetings;
- use the internet;
- change their registered places of work and residence without the prior permission of the police supervising the execution of their sentence (see below).

It is unclear if officials will interpret this as banning the men from attending prayers in a mosque.

These nine men are: Furkat Rakhimov, Kamronbek Abduvokhidov (Fariduddin Abduvokhidov's brother), and Ravshan Igamberdiyev (Iskandar Iskandarov's brother-in-law), Shokhrukhjon Ikromjonov, Sardor Rikhsillayev, Anvarjon Abdurakhmanov, Jurabek Sultonbekov, Abror Azlyarkhojajev, and Bakhromjon Bakhodirov (see below).

Relatives insist to Forum 18 that officials extracted false confessions with a combination of torture and promises of early release which have not been kept. Against binding international human rights obligations, no suspect torturers have been arrested or put on criminal trial for torture. Relatives also state that some of the men have been denied medical treatment (see below).

Aybek Kulbekov, Deputy Chief of the Interior Ministry's Investigations Department, denied on 23 February that Igamberdiyev was denied medical treatment while in custody, and denied that any of the prisoners of conscience had been tortured. "No such violations took place," he claimed to Forum 18.

Kulbekov also stated that the Interior Ministry had in 2020 summoned some unnamed individuals who made complaints of torture and extortion by Ministry Investigators. He claimed they had been shown video recordings of interrogations, and warned them that

the Ministry could take action against them for defamation. "I know that we have signed those UN Conventions, but people can make such claims to you without any evidence," Kulbekov told Forum 18 (see below).

In two other cases in 2020, groups of men who met in Tashkent to discuss Islam have been arrested and jailed. In all three cases, the men were tortured and agent provocateurs used to bring false charges (see below).

Arrests

The third of the cases which led to jailings openly started with 7 January 2020 arrests by Tashkent Police of a group of Muslim men who had since August 2019 been part of a group who met regularly to discuss their faith while drinking tea or having a meal (https://www.forum18.org/archive.php?article_id=2586). Four of the men were ordered held in pre-trial detention.

Human rights defender Tulkun Astanov put the number of those arrested at about 25. "Relatives of some of them have complained to us but unfortunately I cannot give their names or details to you," he told Forum 18 on 11 July 2020.

Astanov was himself jailed in January 2021 for five years (https://www.forum18.org/archive.php?article_id=2631), and was banned in jail from reading the Koran and praying the namaz. He was also denied medical treatment (https://www.forum18.org/archive.php?article_id=2635), but a relative told Forum 18 on 24 February that officials have said that he is now being treated in a prison hospital in Tashkent.

In the days after the January 2020 arrests, police officers tortured four of the 25 arrested men by beating them with truncheons (https://www.forum18.org/archive.php?article_id=2586), as well as denying them food for the first two days of detention and then feeding them bread and water only. Two of those who were tortured are known to have health problems.

Against Uzbekistan's binding international human rights obligations (https://www.forum18.org/archive.php?article_id=2314) under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, no official suspected of involvement in torture in this or similar cases has been arrested and put on criminal trial for torture (https://www.forum18.org/archive.php?article_id=2586).

As in other similar cases, at least one of those initially detained was thought to have been a police agent provocateur (https://www.forum18.org/archive.php?article_id=2586).

Men "absolutely innocent", targeted by police

Relatives of the accused men insisted to Forum 18 on 16 February that the men "are absolutely innocent" of the many serious charges brought against them.

Bakhodyr Muratov, father of Fariduddin Abduvokhitov, told Forum 18 on 16 February 2021 that his son was pressured into making false statements against himself and others under torture (https://www.forum18.org/archive.php?article_id=2586) and with the promise of a light sentence.

Instead, Fariduddin Abduvokhitov was given the longest jail sentence of all the men, 11 years.

Muratov added that Ranjbar Abdul "admitted to me that he was also pressured by the police" into writing false statements and providing false evidence, also with the promise of a light sentence. He admitted that the reason he brought up Syria in conversations was that the police told him to do this (https://www.forum18.org/archive.php?article_id=2586).

Instead, Abdul was given the second longest jail sentence of all the men, seven years.

Five days for preparing defence

Sabina Sakhibova, Igamberdiyev's wife and Iskandarov's sister, told Forum 18 on 16 February 2021 that on 3 September 2020 Tashkent City Criminal Court "abruptly called our lawyer and told him that the following day the trial will begin." After the lawyer appealed against the short notice, on 4 September the hearing was postponed until 9 September.

The family appealed for the case files to be given to their lawyer, but they were only handed over on 4 September. "This did not give time to prepare the defence," Sakhibova stated.

Torture ignored, Mandela Rules ignored

The trial began under Judge Akbarali Turabov at Tashkent City Criminal Court on 9 September 2020. Igamberdiyev and the other defendants told the Court that he and others were tortured by Interior Ministry Investigators, including Khojakbar (last name unknown) "to extract false confessions that they were preparing to go to Syria to fight".

Police told the court that allegedly they detained Abduvakhivodov and Abdul at the airport while buying tickets to Istanbul. But, Sakhibova said, this was because they were thinking of moving to Istanbul for economic reasons and to seek medical treatment. They also wanted to visit relatives.

In defiance of the United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules, A/C.3/70/L.3 (https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf)), the Interior Ministry did not allow Igamberdiyev to be operated on or treated, even though he was in pain during the trial, Sakhibova stated. He has a haemorrhage "because of which he sat with pain in his abdomen" during the trial. "He could not sit for long in his chair."

The Mandela Rules state: "All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals."

The Mandela Rules state they apply to "all categories of prisoners, criminal or civil, untried or convicted".

The UN Human Rights Committee's Concluding Observations (CCPR/C/UZB/CO/5 (<https://www.undocs.org/CCPR/C/UZB/CO/5>)) state that Uzbekistan should: "ensure that conditions in places of detention are in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners".

Aybek Kulbekov, Deputy Chief of the Interior Ministry's Investigations Department, denied on 23 February that Igamberdiyev was denied medical treatment while in custody, and denied that any of the prisoners of conscience had been tortured. "No such violations took place," he claimed to Forum 18.

Kulbekov claimed that: "We have cameras in the rooms for interrogation, and I can tell you that there are no such reports."

"I know that we have signed those UN Conventions.."

Kulbekov of the Interior Ministry also told Forum 18 that in 2020 the Ministry had summoned some unnamed individuals who made complaints of torture and extortion by Ministry Investigators. Kulbekov claimed that officials showed them video recordings of interrogations, and warned them that the Ministry could take action against them for defamation.

"I know that we have signed those UN Conventions, but people can make such claims to you without any evidence," Kulbekov told Forum 18.

Under Uzbekistan's binding international human rights obligations (https://www.forum18.org/archive.php?article_id=2314) under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, officials suspected of involvement in torture must be arrested and put on criminal trial for torture.

Three known Tashkent cases

In two other known cases in Tashkent in 2020, Muslims who discussed their faith with others have been prosecuted (https://www.forum18.org/archive.php?article_id=2599) for alleged terrorism-related offences. In all three cases, the men were tortured and agent provocateurs used to bring false charges.

On 13 March, Tashkent City Criminal Court jailed three of four Muslim men for between five and six years (https://www.forum18.org/archive.php?article_id=2575). The fourth was given a community work sentence and a fine of 10 per cent of his wages for one year. Since 2016, the four young men had been interested in finding out about Islam. But one man – apparently on police instructions - tried to get them to agree to support terrorism and go to Syria to fight. The agent provocateur was not put on trial and was a witness for the state during the trial of the four young men.

On 14 August, Tashkent Criminal Court punished eight Muslims for discussing their faith on social media (https://www.forum18.org/archive.php?article_id=2599), jailing five for up to 11 and a half years, giving the other three restricted freedom sentences. The men knew each other mainly on social media "where they were asking questions about Islam", the mother of one of those jailed said.

Seven jail terms

On 18 November 2020 Judge Turabov of Tashkent City Criminal Court announced seven jail sentences of between 11 and four years, and nine restricted freedom sentences of between three years, four months and one year.

Officials who answered Judge Turabov's phone, and the phone of Judge Elza Shamsutdinova (who prepared the case for the appeal hearing), repeatedly refused to explain why the Judge had handed down such harsh punishments. They also refused to put Forum 18 through to either judge.

As in previous jailings and restricted freedom sentences imposed on Muslim men who met to discuss Islam (https://www.forum18.org/archive.php?article_id=2599), the regime used a wide range of serious Criminal Code articles. Officials routinely use these Articles to target Muslims exercising their freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2314).

The seven jail sentences were:

- 11 years

Fariduddin Bakhodir oqli Abduvokhidov (born 14 June 1994) – Criminal Code articles 155-3 Part 1 and Part 2, 159 Part 1, 244-1 Part 3 Point (d), 244-2 Part 1, 247 Part 1, and 248 Part 1.

- 7 years

Ranjbar Akhad oqli Abdul (born 1 May 1988) – Criminal Code articles 155-3 Part 1 and Part 2, and 228 Part 2 Point (b).

- 5 years, 6 months

Sardor Abdukakhorovich Ibragimov (born 19 August 1986) – Criminal Code article 244-2 Part 1.

Khurshid Jamshid oqli Mukhamedov (born 22 September 1996) – Criminal Code articles 244-2 Part 1, and 244-1 Part 3 point (d).

Abdul-Kudus Khursandali oqli Rizamatov (born 19 October 1996) – Criminal Code article 244-2 Part 1.

- 4 years

Akbar Tuygunovich Absalov (born 20 February 1987) – Criminal Code articles 155-3 Part 1 and Part 2, 244-1 Part 3 Point (d), and 244-2 Part 1.

Iskandar Alimovich Iskandarov (born 24 January 1988) – Criminal Code articles 155-3 Part 1 and Part 2, 244-1 Part 3 Point (d), and 244-2 Part 1.

As noted above, the seven men jailed for meeting to discuss Islam were sentenced under one or more of:

Criminal Code Article 155-3, Part 1 ("Financing of terrorism") and Part 2 ("Repeated financing of terrorism");

Criminal Code Article 155-2, Part 1 ("Undergoing training to carry out terrorism");

Criminal Code Article 159, Part 1 ("Attempts to change the constitutional order");

Criminal Code Article 159, Part 3, Point a (the same acts "committed repeatedly or by a dangerous recidivist");

Criminal Code Article 228 Part 2 Point b ("Production and forgery of documents, stamps, seals, blank forms, and their sale or use");

Criminal Code Article 244-1, Part 3, Point d ("Production or storage with the purpose of distribution of materials that contain ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent expulsion of citizens, or aimed at creating a panic among the population, as well as production, storage with the purpose of distribution or demonstration of attributes or symbols of religious-extremist terrorist organisations", committed "with use of the media or telecommunication networks as well as the internet");

Criminal Code Article 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations");

Criminal Code Article 247 Part 1 ("Illegal acquisition of firearms, ammunition, explosive substances, or explosive assemblies");

and Criminal Code Article 248 Part 1 ("Illegal possession of firearms, ammunition, explosive substances, or explosive assemblies").

Nine restricted freedom sentences

- 3 years, 4 months

Furkat Khaitovich Rakhimov (born 16 January 1984) – Criminal Code articles 244-2 Part 1, and 244-1 Part 3 point (d).

Supervised by probation officers of Tashkent's Yunusobod District Police.

- 3 years, 2 months

Kamronbek Bakhodir oqli Abduvokhidov (born 10 August 2000 - Fariduddin Abduvokhidov's brother) – Criminal Code articles 159 Part 1, 244-1 Part 1, and 244-2 Part 1.

Ravshan Utkirovich Igamberdiyev (born 14 November 1987 - Iskandar Iskandarov's brother-in-law) – Criminal Code articles 155-3 Part 1 and Part 2, 244-1 Part 3 Point (d), and 244-2 Part 1.

Both men supervised by probation officers of Tashkent's Yunusobod District Police.

- 2 years, 8 months

Shokhrukhjon Farkhodjon oqli Ikromjonov (born 8 September 1996) – Criminal Code article 244-2 Part 1.

Supervised by probation officers of Tashkent's Shaykhantokhur District Police.

Sardor Sadulla oqli Rikhsillayev (born 28 July 1998) – Criminal Code article 244-2 Part 1.

Supervised by probation officers of Tashkent's Olmazor District Police.

- 2 years

Anvarjon Abdunabi oqli Abdurakhmanov (born 4 April 1997) – Criminal Code articles 241 Part 1, and 244-1 Part 1.

Supervised by probation officers of Tashkent Region's Tashkent District Police.

Jurabek Jurakul oqli Sultonbekov (born 17 July 1991) – Criminal Code article 241 Part 2.

- 1 year

Abror Azizovich Azlyarkhojyev (born 17 December 1985) – Criminal Code article 241 Part 1.

Supervised by probation officers of Tashkent's Yunusobod District Police.

Bakhromjon Bositkhon oqli Bakhodirov (born 31 January 1996) – Criminal Code article 241 Part 1.

Supervised by probation officers of Tashkent's Shaykhantokhur District Police.

Restrictions under restricted freedom sentences

The restricted freedom sentences for all nine men include these restrictions:

- They must be at home during curfew hours between 9 pm and 6 am the next morning;
- They are banned from attending any entertainment places, such as cafes, restaurants, bars and tea houses;
- They are banned from attending public events such as festivities during national holidays, public demonstrations, and meetings;
- They are banned from using the internet;
- They are banned from changing their registered places of work and residence without the prior permission of the police supervising the execution of their sentence.

It is unclear if officials will interpret this as banning the men from attending prayers in a mosque.

As noted above, the nine men given restricted freedom sentences were sentenced under one or more of the Criminal Code articles routinely used to target Muslims exercising their freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2314). The articles used to punish these men for meeting together to discuss Islam were:

Criminal Code Article 155-3, Part 1 ("Financing of terrorism");

Criminal Code Article 241, Part 1 ("Failure to report a crime");

Criminal Code Article 241, Part 2 ("Concealing a crime");

Criminal Code Article 244-1, Part 1 ("Production or storage with the purpose of distribution of materials that contain ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent expulsion of citizens, or aimed at creating a panic among the population, as well as production, storage with the purpose of distribution or demonstration of attributes or symbols of religious-extremist terrorist organisations");

Criminal Code Article 244-1, Part 3, Point (d) ("Production or storage with the purpose of distribution of materials that contain ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent expulsion of citizens, or aimed at creating a panic among the population, as well as production, storage with the purpose of distribution or demonstration of attributes or symbols of religious-extremist terrorist organisations", committed "with use of the media or telecommunication networks as well as the internet");

and Criminal Code Article 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations").

"No use for us to make another appeal as nothing will change"

On 22 December 2020 Tashkent City Court's Appeal Board, composed of judges Elza Shamsutdinova and Khamid Shamshiyev, chaired by Talat Tursunov, upheld the punishments on appeal. The punishments then entered into force.

Those who received jail sentences were then transferred to various prisons between 5 and 6 January 2021. Iskandar Iskandarov was sent on 6 January to Prison No. 4 in Navoi Region. The address is:

Navoi viloyati

Navoi Shakhri

4-sonli Jinoyati Ijro Etish Kolonoyasi

Uzbekistan

Prisoners in this prison were in April 2020 tortured for fasting at the beginning of the Muslim holy month of Ramadan (https://www.forum18.org/archive.php?article_id=2635). No suspect torturers have been arrested or put on criminal trial for torture.

No official of the Appeal Board answered their phone on 22 February.

"Fariduddin and the other boys told their parents that it is no use for us to make another appeal as nothing will change. So we decided not to appeal," Muratov told Forum 18.

Sakhibova told Forum 18 that "We decided not to complain against the decision since we were promised by the Court officials that my brother [Iskandar Iskandarov] would be released in February. The officials advised us not to make an appeal."

On 18 February Sakhibova told Forum 18 that the family has now been told that "Iskandar will not be released now. The authorities now promise that he may be released in May. We don't know now."

Released under amnesty

The seven jailed men may at some point be released under an amnesty. This happened around October 2019 to some Muslims jailed for exercising their freedom of religion or belief:

- In November 2015 Davron Komoliddinov was jailed for seven years, after being extradited from Russia (https://www.forum18.org/archive.php?article_id=2191), for posing sermons on a Russian social media network.

- In August 2016 former prisoner of conscience Bakhtiyor Khudaiberdiyev, a Russian citizen who is ethnically Uzbek, was jailed for six years (https://www.forum18.org/archive.php?article_id=2232). The National Security Service (NSS) Secret Police had arrested him in January at Tashkent Airport for having suras (verses) from the Koran and other material on his mobile phone.

- and in May 2017 Davron Fayziyev, Latip Yusupov, Khusnuddin Rizayev, Dilshod Kamilov, Abdurashid Rashidov, Khusnuddin

Inagamov, Afzaljon Urunov, Ravshan Mirzayev, Sobirjon Khasanov, Bakhadyr Sadykov, Ravshan Sadykov were jailed for periods of between five and six years, for meeting to pray and discuss their faith (https://www.forum18.org/archive.php?article_id=2288).
(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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