

9 February 2010

UZBEKISTAN: Drugs planted and worshippers beaten up?

By Mushfig Bayram, Forum 18

Uzbekistan continues to punish people for unregistered religious worship, Forum 18 News Service notes. Tohar Haydarov, a Baptist, has been arrested and faces criminal charges of producing or storing drugs, which is punishable by up to five years in prison. Haydarov's fellow believers insist to Forum 18 that the case has been fabricated, one stating that "police planted a matchbox with drugs." They also state that Haydarov "was beaten and forced by the police to sign different papers. His face looked exhausted and swollen, and he could hardly walk. He did not even remember what was written in those papers." The authorities claim these are "lies". In another case police raided a peaceful meeting of local Baptists, who sustained injuries during detention which have been verified by a medical examination. Told that Forum 18 had seen the medical record, a police officer appeared at a loss for words. "I don't know what to say, the police were there only to assist other state agencies with the detentions," he said. In both cases the authorities are also thought to be preparing criminal cases against some of the Baptists.

Uzbekistan continues to punish people for unregistered religious worship. Tohar Haydarov, a Baptist arrested by police in central Syrdarya Region on 18 January, faces charges under the Criminal Code of producing or storing drugs, which are punishable by up to five years in prison. Haydarov's fellow believers have insisted to Forum 18 News Service that the case has been fabricated and fear that even harsher charges of distributing drugs might be levied. They also report that his face looked swollen during a brief court appearance three days after his arrest. In another case in Tashkent Region, Almalyk City Police raided a peaceful meeting of local Baptists, and inflicted injuries while taking them to the police station for questioning. Although now released, some of the Baptists face possible criminal charges.

Both Haydarov and the Baptists in Almalyk are members of the Baptist Council of Churches, which rejects state registration in all the former Soviet republics where they operate. They insist that they have the right to meet for worship without registration. Uzbek law – in defiance of the country's international human rights commitments – bans all unregistered religious activity.

The latest violations come as Uzbekistan continues to arrest Muslims who are seen as devout. In one such crackdown, around 57 Muslims are being held in Syrdarya Region on unknown charges. In the south-western Kashkadarya region the son-in-law of Mekhrinisso Hamdamova, a Muslim woman arrested for holding religious meetings in her home, is still in detention since his arrest on 16 January. The fate of several men put on trial in 2009 for following the approach to Islam of the late Turkish Muslim theologian Said Nursi still remains unknown (see F18News 27 January 2010 http://www.forum18.org/Archive.php?article_id=1399).

Both the Baptist and Muslim cases appear to be part of an ongoing crackdown on people peacefully exercising their right to freedom of religion or belief independent of state control.

Refusal to discuss cases

Begzot Kadyrov of Uzbekistan's state Committee for Religious Affairs in Tashkent refused to discuss any of the cases with Forum 18 on 4 February. "Come to our office and we will talk to you," he said, as is his usual response.

Phones at the Office of the Uzbek Parliament's Human Rights Ombudsperson in Tashkent went unanswered on 4 February.

Did police plant drugs?

The 27-year old Tohar Haydarov is a member of Guliston's unregistered Baptist Church. He was arrested at 8.30 pm on 18 January by Guliston City Police on charges of "illegal production, purchase, storage and other operation with narcotic drugs or psychotropic substances without the purpose of selling" under Uzbekistan's Criminal Code Article 276 Part 2a. This is punishable by between three and five years in prison.

A Protestant familiar with the case, who asked not to be named for fear of state reprisals, told Forum 18 that local Police Inspector Sardor (last name was not given) took Haydarov to a local Police station where he used threats to pressure him to renounce his faith. The Protestant then claimed that "police planted a matchbox with drugs in Haydarov's coat's pocket."

Police officers then took the keys to Haydarov's flat from him and went there to conduct a search. The search was done in his absence, and his neighbour was invited as a witness "only after allegedly" police had found a plastic bag with marijuana in the bathroom, the Protestant told Forum 18.

In a decision signed on 21 January, which Forum 18 has seen, Guliston Police Investigator Rakhym Norbutayev wrote that officers of Guliston's City's Criminal Investigation Department and Organised Crime Police took Haydarov to a police station for questioning. "A narcotic substance similar to marijuana in a match-box was found in Haydarov's pocket when he was searched," it reads. "Thereafter a search was made in Haydarov's home in which a bag with a narcotic substance similar to marijuana was discovered in the bathroom and confiscated."

"The results of the forensic-chemical tests on 18 January determined that 2,003.97 grams of a narcotic substance confiscated from citizen Haydarov are tetrahydrocannabinol, which is the narcotic element of marijuana," Lieutenant Norbutayev's decision further reads. This means that the forensic tests were conducted the same evening the drugs were allegedly found. Police were not willing to answer Forum 18's questions about how precise forensic results were available the same evening a search was made and substances found.

Baptists from the Tashkent congregation who know him have complained to Forum 18 that Tohar Haydarov is an "innocent man" and that he is being "persecuted for his faith". "He does not even smoke, let alone use drugs."

"People are not prosecuted for their beliefs"

A police officer who did not give his name from Gulistan City's 3rd Micro-district, where Haydarov lives, refused to comment on the claims that the drugs were planted on Haydarov. "I will not tell you anything, we referred the case to the police investigation," he told Forum 18 on 9 February. "Please, talk to the Investigator," he said before putting the phone down.

Police Lieutenant Norbutayev, who leads the investigation, rejected the Baptists' insistence that Haydarov had been arrested for his Christian beliefs. "People are not prosecuted for their beliefs in Uzbekistan," he retorted to Forum 18 from Guliston on 1 February. Lieutenant Norbutayev claimed that his "colleagues found drugs on him when he was arrested." When Forum 18 questioned whether the drugs found on Haydarov belonged to him, Norbutayev stated that "I have no reasons not to believe my colleagues".

Norbutayev would not say what made the Police initially arrest Haydarov. "I am still investigating the case," the Investigator responded when asked if he had any proofs of Haydarov's guilt other than police evidence.

Along with petitions from church members, Haydarov's relatives, at least ten neighbours in Gulistan's 3rd Microdistrict and fellow-workers have also written petitions for his release, in which they testify that he is an "innocent and good man," the Baptists said.

Did police beat up Haydarov?

"Police kept Tohar in detention for three days before we saw him briefly at the court, where he was brought by the Police to get authorisation to put him in custody," the Baptists said. "Tohar told us that he was beaten and forced by the police to sign different papers. His face looked exhausted and swollen, and he could hardly walk. He did not even remember what was written in those papers." The Baptists had earlier been refused a meeting with Haydarov.

Lieutenant Norbutayev's colleague Inspector Dilshod Akimov told Forum 18 that accusations that Haydarov was beaten in police custody are "lies". Heydarov "is a huge, stocky man", he told Forum 18 on 5 February. "How could he be beaten like that," he asked Forum 18. "I am also an eyewitness, and my colleagues have not beaten him."

Will Haydarov face criminal charges?

A Protestant familiar with the case, who asked not to be named, told Forum 18 that Guliston Police "at the moment are working on the case" to qualify it under a different article of the Criminal Code – article 273 part 5, which punishes between ten and twenty years in prison for "illegal production, purchase, storage and other operation with narcotic drugs or psychotropic substances with the purpose of selling as well as for selling."

Lieutenant Norbutayev refused to comment on this or what punishment will be given to Haydarov. "The court will decide that," he told Forum 18. Asked whether the Baptists would be allowed to see Haydarov, he responded: "Why should they?"

Mammadali Karimov, Syrdarya Regional Administration's religious affairs official, refused to talk about the case since he was "in a meeting in Tashkent." "Call me in a few days," he told Forum 18 on 4 February. When on 9 February Forum 18 called him as he had requested, Karimov refused to talk and put the phone down.

Police raid on unregistered worship

Elsewhere in Uzbekistan, Tashkent Region's Almalyk City Prosecutor's office is preparing to open a criminal case against local Baptists, Forum 18 has learned. Police Captain Tohirjon Akramov and Police Investigator Anatoli Kim, together with ten other officers of Almalyk City Police, on 24 January broke into the home of Church member Sergei Brislavski, while he and eighteen other Baptists were having fellowship around tea, Baptists who asked not to be identified told Forum 18. The police broke both a wooden and an iron door to get into Brislavski's flat. Police then took all nineteen people to the police station to write statements.

Those detained along with Brislavski included his wife Olga and daughter Yekaterina, Rita Struchayeva, Lyubov Abdalova, Yuri Zakharchenko, Tatyana and Stanislav Shopov, Lola Kamalova, Azamat Nazarov, and Vladimir and Yelena Shirayev, as well as an eleven-month-old girl.

Brislavski's home was then searched in his absence and Bibles, Christian song-books and CDs were confiscated.

Detainees injured by police

The Baptists told Forum 18 that while detaining Olga Brislavskaya, Nazarov and Kamalova, the Police dragged them by their arms, hitting them at the same time. Forensic-medical examination certificates after they were examined by doctors on 25 January, seen by Forum 18, recorded bruises on the three Baptists' shoulders and around their necks.

Investigator Kim said the Police did not inflict injuries on any of the detained Baptists. "It is a lie, we did not do anything like that," he objected to Forum 18 on 3 February, adding that they were "immediately" released on the same day after writing statements. Told that Forum 18 has seen the forensic-medical examination results, Kim appeared at a loss for words. "I don't know what to say, the police were there only to assist other state agencies with the detentions," he said. He refused to specify which other agencies were present.

Earlier punishment of Almalyk Baptists

It is not the first time the Baptists of Almalyk have faced persecution from the authorities in attempts to stop them from worshipping without official state endorsement.

Some of the detained Baptists - the three members of the Brislavski family, Struchayeva, Abdalova, Shirayev, Shopova, and Zakharchenko - were each fined in April 2009 fifty times the minimum monthly wage (see F18News 8 April 2009 http://www.forum18.org/Archive.php?article_id=1282).

Will Baptists face criminal charges?

The Baptists believe that Almalyk Police are preparing a criminal case against some of their members for repeated violations of the Law under Criminal Code Article 216-2 ("violating the Religion Law") and Article 229 ("violating the order of teaching religious doctrines").

Asked what charges are being prepared against the Baptists, Police Investigator Kim said that the case had been referred to the Almalyk City Prosecutor.

City Prosecutor Gayrat Mukhammedov refused to say what charges are being prepared against the Baptists and how many are facing possible prosecution. "We are still investigating the case," he told Forum 18 from Almalyk on 4 February. "We will tell you only after the investigation is over." The prosecutor said that the investigation would go on for "ten to fifteen" days. Asked why the Baptists cannot gather peacefully in homes for worship, he said: "I cannot comment on that." (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=1170.

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.

A printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>.

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