

7 May 2013

UZBEKISTAN: Continuing denials of prisoners' freedom of religion or belief

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

Uzbekistan continues to limit the freedom of religion or belief of all prisoners, Forum 18 News Service has learned. For example relatives of imprisoned Muslim prisoners of conscience, jailed for exercising their religious freedom, told Forum 18 that prisoners "cannot openly pray, or read any Muslim literature - even the Koran". The state-controlled Islamic religious leadership, or Muslim Board, denied this to Forum 18. Mukhammadakmal Shakirov of the Muslim Board also claimed to Forum 18 that the Board's clergy have recently visited Muslims in prison. But when asked which was the last prison they visited and when this was, Shakirov refused to say. An official of an officially-recognised religious community, who wished to remain anonymous for fear of state reprisals, told Forum 18 that their clergy are not allowed by the authorities to visit or conduct religious ceremonies in prisons. Christian prisoners of conscience are also known to have suffered from bans on openly praying and reading religious literature, including the Bible.

Uzbekistan is continuing to limit the freedom of religion or belief of prisoners, including prisoners of conscience, who also suffer among other things from poor nutrition and health care, Forum 18 News Service has learned. Relatives of imprisoned Muslim prisoners of conscience, jailed for exercising their freedom of religion or belief, told Forum 18 that prisoners "cannot openly pray, or read any Muslim literature - even the Koran". Uzbekistan has imprisoned and continues to imprison many people for exercising their freedom of religion or belief, but has now released its last current Jehovah's Witness prisoner of conscience. And the International Committee of the Red Cross (ICRC) has stopped visiting prisoners in Uzbekistan, stating on 12 April that "we cannot address humanitarian issues and that renders any visits pointless".

All prisoners in Uzbekistan have long been denied their right to freedom of religion or belief – for example to pray visibly, to have religious literature, or to receive visits from clergy. Prison and labour camp conditions are harsh, and even the communities regarded as the main "traditional" faiths – the state-controlled Muslim Board and the Russian Orthodox Church – have had only limited access to prisoners, with those of other faiths having stated to Forum 18 that they have almost no access. Prisoners are often punished for religious activity in jails or labour camps, but officials have in the past insisted to Forum 18 that prisoners' religious freedom is respected (see F18News 17 July 2009 http://www.forum18.org/Archive.php?article_id=1329).

Can prisoners pray or read religious literature?

Relatives of Muslims jailed for exercising their freedom of religion or belief, who wished to remain anonymous for fear of state reprisals, told Forum 18 in May that their imprisoned relatives "cannot openly pray, or read any Muslim literature - even the Koran".

Muslims have long complained that they are banned from praying openly in jail (see F18News 2 May 2006 http://www.forum18.org/Archive.php?article_id=772), as was former Protestant prisoner of conscience Pastor Dmitry Shestakov (see F18News 23 March 2007 http://www.forum18.org/Archive.php?article_id=935).

Mukhammadakmal Shakirov, Chief of the International Relations Department of the state-controlled Islamic religious leadership (the Spiritual Administration of Muslims, or Muslim Board), adamantly denied that these problems exist. He insisted to Forum 18 on 6 May that "in all Uzbekistan's prisons convicts are allowed to pray or read the Koran if they want to".

Literature bans, including of sacred texts, also affect prisoners of conscience of other faiths. Andrei Serin, who is from an unregistered Baptist Church in the capital Tashkent, told Forum 18 on 17 April that Baptist prisoner of conscience Tohar Haydarov "can pray but I don't know if he has a Bible now". He added that Haydarov "had a Bible which was taken away from him at the beginning of his sentence".

In March 2010 Haydarov was sentenced to 10 years in jail, after an apparently rigged trial, and attempts to overturn his sentence have failed (see F18News 21 December 2010 http://www.forum18.org/Archive.php?article_id=1524).

Visits by clergy or prisoners of consciences' relatives allowed?

An official of an officially-recognised religious community, who wished to remain anonymous for fear of state reprisals, told Forum 18 on 6 May that their clergy are not allowed by the authorities to visit or conduct religious ceremonies in prisons. The official did not want to discuss the issue further.

In sharp contrast, Shakirov of the Muslim Board claimed to Forum 18 that the Board's clergy have recently visited Muslims in prison. "Prisons are visited by us on an official schedule," he claimed. Asked which was the last prison they visited and when this was, Shakirov refused to say. "Please send your questions in writing," he stated, before refusing to continue the conversation.

In the past officials from officially-recognised communities, including the Muslim Board, have stated that prison visits are infrequent at best (see F18News 17 July 2009 http://www.forum18.org/Archive.php?article_id=1329).

Relatives of prisoners of conscience jailed for exercising their freedom of religion or belief – such as Khayrullo Tursunov, a Muslim in pre-trial detention in Karshi – are known to have been denied visiting rights (see F18News 1 May 2013 http://www.forum18.org/Archive.php?article_id=1829). But one relative of a Muslim imprisoned for exercising his freedom of religion or belief told Forum 18 on 16 April that they "are allowed to visit three or four times a year, and even stay for a day within a specifically designated room in the prison".

Poor food, harsh conditions

A relative of a Muslim imprisoned for exercising his freedom of religion or belief told Forum 18 on 6 May that they "have to bring meat dishes and medicines because of poor health and nutrition". Their relative's health "is not too bad but could be better. Meat is served to prisoners very rarely, and convicts survive on barley and other primitive food for months."

The relative said that the prisoners are allowed to receive parcels containing medicines, food and clothes up to five kilograms (11 pounds) in that particular prison.

Prisoners of conscience in Uzbekistan's labour camps suffer unsanitary and dangerous living and working conditions, which cause a high level of sickness among prisoners. Guards beat them with truncheons and members of criminal gangs have a ruthless hold over other prisoners (see F18News 27 June 2007 http://www.forum18.org/Archive.php?article_id=982).

International human rights obligations

International law defends the right of prisoners to freedom of religion or belief, which Uzbekistan has the international obligation to uphold. The International Covenant on Civil and Political Rights (ICCPR), ratified by Uzbekistan in 1996, states: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person" (Article 10, Paragraph 1). This specifically includes those held in prisons, detention camps or correctional institutions (General Comment 21 on ICCPR Article 10).

Among other relevant United Nations standards is the 1955 Standard Minimum Rules for the Treatment of Prisoners, which state: "Access to a qualified representative of any religion shall not be refused to any prisoner" (Rule 41, Part 3). The Standard Minimum Rules also stipulate that, "So far as practicable, every prisoner shall be allowed to satisfy the needs of his/her religious life by attending the services provided in the institution and having in his/her possession the books of religious observance and instruction of his/her denomination" (Rule 42).

"In accordance with international standards"?

Officials at the Interior Ministry's Chief Directorate for the Enforcement of Punishments - which has responsibility for prisons - between 3 and 6 May refused to discuss with Forum 18 freedom of religion or belief in prisons.

Burkhan (who did not give his last name) stated he is Assistant to Abdukarim Shodiyev, Deputy Interior Minister and Head of the Chief Directorate for the Enforcement of Punishments, on 3 May. He claimed to Forum 18 that neither Shodiyev nor anyone else from the Chief Directorate is available to talk to Forum 18. Asked whether Forum 18 could talk to the Press Service, Burkhan referred Forum 18 to the switchboard. Employees at the switchboard between 3 and 6 May claimed when Forum 18 introduced itself that they could not hear Forum 18 well – even though the line was very clear.

Uzbekistan's official delegation to its Universal Periodic Review (UPR) at the United Nations Human Rights Council in Geneva on 24 April defended the government's record on prisoners. Delegation member Shodiyev, Deputy Interior Minister and Head of the Chief Directorate, insisted that detention conditions "are in accordance with international standards".

Shodiyev claimed that all cases of torture of prisoners and complaints by prisoners are followed up by the General Prosecutor's Office and that action follows. He gave no examples of such action. Torture in Uzbekistan continues to be "routine", as the UN Committee Against Torture put it, with cases frequently being reported by victims to Forum 18 (see F18News 14 August 2012 http://www.forum18.org/Archive.php?article_id=1732).

Will Protestant prisoner of conscience be transferred to an open prison?

Baptists in Uzbekistan are hoping that prisoner of conscience Haydarov will be moved to an open prison. Haydarov is at present in Shaykh-Ali Prison in Kashkadarya Region, but after one third of his prison term is complete (he was jailed for 10 years in March 2010), the law allows him to be moved to an open prison unless he is given an administrative penalty while serving his sentence.

"In an open prison, the prisoners move freely in the town between the prison and the work place," fellow-Baptist Serin explained. "We are hoping that he will be moved there in mid-May." If transferred to an open prison, Haydarov will also have a chance to have visitors "almost daily, and have a chance to receive home-made food."

The address of Haydarov's current prison is:

UYa 64/49

otryad 13

pos. Shaikh-Ali

g. Karshi,

Kashkadarya Region

Uzbekistan

Serin told Forum 18 that Baptists had collected positive written testimonies from Haydarov's family, friends, neighbours and church members to petition the authorities to transfer Haydarov to an open prison. "It remains to be seen whether or not the authorities will do so," he said.

Surprise release of jailed Jehovah's Witness

Abdubannob Ahmedov was released from prison on 2 March, 22 months before his latest sentence was due to finish, his fellow-Jehovah's Witnesses told Forum 18. Ahmedov was in prison for 4 years and 7 months from July 2008.

Ahmedov was originally sentenced to four years' imprisonment in 2008 for the illegal exercise of freedom of religion or belief (see F18News 29 July 2008 http://www.forum18.org/Archive.php?article_id=1164). But shortly before the end of his first jail sentence in July 2012 was given a further 30 months in jail for allegedly violating prison regulations (see F18News 4 July 2012 http://www.forum18.org/Archive.php?article_id=1717).

"His sentence was reduced to six months, the officials who accompanied him to his home town in Fergana [Fargona] Region informed local police," Jehovah's Witnesses told Forum 18. Ahmedov was not given a written statement why his sentence was reduced, but was verbally told by local police that "it was the decision of the big brass".

Ahmedov is at his home in Margilan with his family. "They are happy that he is finally home after four and half years of prison," Jehovah's Witnesses told Forum 18.

No other Jehovah's Witnesses are currently in jail in Uzbekistan.

ICRC stops visiting prisons

The International Committee of the Red Cross (ICRC) has stopped visiting prisoners in Uzbekistan, due to obstacles caused by the government, the ICRC announced on 12 April. It had suspended its visits in October 2012, but had been negotiating with the government to try to resume them.

"In Uzbekistan we are unable to follow our standard working procedures when we visit detainees to assess the conditions in which they are being held and the treatment they are receiving," said Yves Daccord, ICRC's Director-General. "As a result, we cannot address humanitarian issues and that renders any visits pointless." Daccord stressed that the decision to terminate visits to places of detention is a rare occurrence, and is never taken lightly.

"Visiting all detainees of ICRC concern and speaking to them in private - without witnesses - are essential preconditions for the effective protection of detainees," Daccord stated. "Visits must have a meaningful impact on detention conditions, and dialogue with the detaining authorities must be constructive. And that's not the case in Uzbekistan." (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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