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UZBEKISTAN: Trial postponed, home raided to pressure human rights defender

By Felix Corley, Forum 18

The criminal trial of surgeon and human rights defender Doctor Alimardon Sultonov continues but has been postponed to 24 November, and his home was raided after the second hearing as human rights defender Solmaz Akhmedova of the Human Rights Alliance was present. Police confirmed to Forum 18 that this was the reason for the raid.

The criminal trial of Doctor Alimardon Sultonov continues in Uzbekistan's north-western Karakalpakstan autonomous republic. He is a devout Muslim known for discussing freedom of religion and belief issues, who works as a trauma surgeon at Ellikkala Central State Hospital.

Dr Sultonov had called the local medical emergency service to ask whether there were any coronavirus cases in Karakalpakstan, as he suspected the authorities of concealing this information which he as a doctor needed to know (see below).

After Dr Sultonov called, five police, Interior Ministry, and State Security Service (SSS) secret police officers came from the regional capital Nukus to question him, confiscate a computer with religious texts, and then open a criminal case against him (see below).

First Deputy Karakalpakstan Health Minister Kallibek Khudaybergenov said "I do not know", when asked by Forum 18 on 30 October whether he thinks it was right for a criminal case to be opened for asking the authorities for the exact picture of the pandemic. When asked whether the five police, Interior Ministry and SSS secret police officials should have by visiting the hospital risked exposing Dr Sultonov and others to the coronavirus, the Deputy Health Minister replied: "No. This was not an adequate step. I do not know why they did so" (see below).

Judge Orazbay Maulenov of Ellikala District Criminal Court began the trial of the criminal case against Doctor Alimardon Sultonov on 14 October, and the second hearing was on 21 October. Judge Maulenov would not answer when Forum 18 asked him why a criminal case was started when a surgeon known for defending Muslims' freedom of religion and belief asked about the number of coronavirus cases (see below).

When Forum 18 noted that there are credible claims that the witnesses gave false statements, and asked whether he thinks the case is fabricated, the Judge paused. He then said: "I do not know what they said to you, and I cannot say anything at the moment" (see below)

Human rights defender Akhmedova of the Human Rights Alliance told Forum 18 that "when Sultonov asked the Court about this during the 21 October hearing, neither Zebo Kenjayeva from Ellikala District Prosecutor's Office nor the Judge could answer" (see below).

A day after the 21 October hearing, on 22 October police officer and mahalla officials raided Dr Sultonov's home. "They came to our home when rights defender Akhmedova of the Human Rights Alliance was visiting us from Tashkent," Sultonov told Forum 18. The officials "pretended that it was a normal routine passport check, but concentrated more on Akhmedova. They asked her who she was and why she came, and wrote her down her details." But, Sultonov said, "when they realised that Akhmedova was recording their questioning they immediately left."

Akhmedova of the Human Rights Alliance told Forum 18 that "Sultonov's family later was told by an unnamed mahalla committee employee that the officials came because they knew that I was visiting them." She told Forum 18 that she thinks that the raid was to "put pressure on me" (see below).

Police confirmed to Forum 18 that they raided Sultonov's home because a human rights defender was present, but would not reply when asked why police must check this, and why a criminal case was opened against a surgeon for fulfilling his duty as a doctor (see below).

The Court told Sulstonov that the next hearing was postponed until 24 November, as the Karakalpakstan Health Ministry had told the Court it could not participate until 24 November. But First Deputy Karakalpakstan Health Minister Khudaybergenov told Forum 18 that "I was on the way to the hearing that day I received a call from the Court and was told that they had postponed the process for now. I was not given a reason why, or when the next time is that I should appear before the Court. I am still waiting for their call" (see below).

Coronavirus information concealed

Dr Sulstonov is known for publicly discussing Muslims' freedom of religion and belief (http://www.forum18.org/archive.php?article_id=2604), and on 31 March called the local medical emergency service (http://www.forum18.org/archive.php?article_id=2564) to ask whether there were any coronavirus cases in Karakalpakstan.

Dr Sulstonov told Forum 18 on 28 October 2020 that he asked the question as local authorities had publicly stated that there were no coronavirus cases in Ellikala. However, on 30 March he read on social media that cases had already occurred in Karakalpakstan, and that visitors from Karakalpakstan to Kazakhstan had spread the virus there. "When I heard that Kazakhstan had warned the Karakalpak authorities about the infections, I suspected that there were already many cases in the district. Later deaths confirmed this."

He explained that the authorities have continued to conceal the real figures, noting that Dr Rakhimov as head of Ellikkala Central State Hospital has publicly stated that the number of deaths in Ellikala from May to October was nine. "I had access to the statistics centre database", Dr Sulstonov continued, "and have read that the number of deaths was 20".

Interior Ministry, police, SSS secret police respond

After Dr Sulstonov called the local medical emergency service on 31 March, five officials then came from the regional capital Nukus to the hospital to question him. The five officials included Lieutenant Colonel Nemat Abdullayev from the police "Struggle with Extremism and Terrorism Department", Karakalpakstan Interior Ministry officials, and State Security Service (SSS) secret police officers (http://www.forum18.org/archive.php?article_id=2564). They claimed to Dr Sulstonov's colleagues they were checking enforcement of the coronavirus lockdown – despite the risks of coronavirus infection they exposed staff and patients to by coming to the hospital.

"Then the officials asked others to leave the room, and when I was alone with them they asked whether I have any religious texts," Dr Sulstonov told Forum 18 (http://www.forum18.org/archive.php?article_id=2564). "When I told them that on my computer I have some writings and sermons of Imam Muhammad al-Bukhari, Obid Nazarov and others, which are not officially allowed in Uzbekistan, they confiscated the computer and took it with them." A criminal case was then opened.

First Deputy Karakalpakstan Health Minister Kallibek Khudaybergenov said "I do not know", when asked by Forum 18 on 30 October whether he thinks it was right for a criminal case to be opened for asking the authorities for the exact picture of the pandemic. When asked whether the five police, Interior Ministry and SSS secret police officials should have by visiting the hospital risked exposing Dr Sulstonov and others to the coronavirus, the Deputy Health Minister replied: "No. This was not an adequate step. I do not know why they did so."

Dr Sulstonov has already been charged under a new Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease") (http://www.forum18.org/archive.php?article_id=2564). Interior Ministry officials told him that "those who wear a beard are terrorists" (http://www.forum18.org/archive.php?article_id=2586).

Investigators have changed the accusations against Dr Sulstonov several times (http://www.forum18.org/archive.php?article_id=2599), and is currently also accused of illegal storage or distribution of religious literature for having Muslim sermons on his phone. He denies any wrongdoing.

Police asked two senior hospital officials to testify against Dr Sulstonov (http://www.forum18.org/archive.php?article_id=2599). Both claimed that he had more than once said he wanted to go to the war zone in Syria. Dr Sulstonov accuses the men of lying. One of the officials repeated his claim to Forum 18

Criminal trial

Judge Orazbay Maulenov of Ellikala District Criminal Court began the trial of the criminal case against Doctor Alimardon Sulstonov on 14 October, and the second hearing was on 21 October.

Dr Sulstonov did not have a defence lawyer as "I do not trust the lawyers because they are under pressure from the authorities. There have been many cases against Muslims before where lawyers cooperated with the authorities" (http://www.forum18.org/archive.php?article_id=2314)." So he decided to defend himself in court.

However, Dr Sultonov invited human rights defender Solmaz Akhmedova of the Human Rights Alliance to observe the trial. The Court decided to allow her to participate, but also invited a local TV to film the trial.

Television has been used by the authorities to broadcast such unfair trials (http://www.forum18.org/archive.php?article_id=2314).

Judge Maulenov would not answer when Forum 18 asked him why a criminal case was started when a surgeon known for defending Muslims' freedom of religion and belief asked about the number of coronavirus cases. "I cannot tell you what the Court will decide but we will investigate it. We have to listen to the witnesses," he told Forum 18 on 20 October.

When Forum 18 noted that there are credible claims that the witnesses made false statements (http://www.forum18.org/archive.php?article_id=2599), and asked whether he thinks the case is fabricated, the Judge paused. He then said: "I do not know what they said to you, and I cannot say anything at the moment."

Human rights defender Akhmedova of the Human Rights Alliance told Forum 18 that "when Sultonov asked the Court about this during the 21 October hearing, neither Zebo Kenjayeva from Ellikala District Prosecutor's Office nor the Judge could answer."

The Judge would not discuss why Muslims continue to be jailed with the use of false witnesses for discussing Islam (http://www.forum18.org/archive.php?article_id=2599) or having religious texts on electronic devices, and then refused to talk more with Forum 18.

Police and mahalla officials raid Sultonov's home

A day after the 21 October hearing, on 22 October local police officer Sarvar, and the mahalla [local district administration] (http://www.forum18.org/archive.php?article_id=2314) Chair and another mahalla official raided Dr Sultonov's home. "They came to our home when rights defender Akhmedova of the Human Rights Alliance was visiting us from Tashkent," Sultonov told Forum 18. The officials "pretended that it was a normal routine passport check, but concentrated more on Akhmedova. They asked her who she was and why she came, and wrote her down her details." But, Sultonov said, "when they realised that Akhmedova was recording their questioning they immediately left."

Akhmedova of the Human Rights Alliance told Forum 18 on 29 October that the mahalla Committee employee was filming her while the police officer was writing a report. "Sultonov's family later was told by an unnamed mahalla committee employee that the officials came because they knew that I was visiting them." She told Forum 18 that she thinks that the raid was to "put pressure on me."

Officer Khursand (who refused to give his last name), who answered the phone of the Police Station of the residential area Sultonov's home is in, claimed to Forum 18 that Officer Sarvar is "busy and cannot talk". When asked why police raided Sultonov's home, he replied: "We needed to check who exactly was visiting him from Tashkent." Asked why police must check this, and why a criminal case was opened against a surgeon for fulfilling his duty as a doctor, Officer Khursand would not answer. Then he declined to talk further.

Case postponed because of Health Ministry – or not?

The next 28 October hearing was postponed until 24 November, as the Karakalpakstan Health Ministry had told the Court it could not participate until 24 November, Sultonov was told by the Court on 28 October.

However, First Deputy Karakalpakstan Health Minister Khudaybergenov gave a different account. "It was not that we could not participate in the Court on 28 October, but when I was on the way to the hearing that day I received a call from the Court and was told that they had postponed the process for now", he told Forum 18. "I was not given a reason why, or when the next time is that I should appear before the Court. I am still waiting for their call." (END)

Full reports on freedom of thought, conscience and belief in Uzbekistan (<http://www.forum18.org/archive.php?query=&religion=all&country=33>).

For more background, see Forum 18's Uzbekistan religious freedom survey (http://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 (http://www.forum18.org/archive.php?article_id=1351)

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