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UZBEKISTAN: Asphyxiation with a gas mask "amounts to torture"

By Felix Corley, Forum 18 (<https://www.forum18.org>)

Jehovah's Witness paediatrician Gulchehra Abdullayeva has complained to four Uzbek state agencies and the United Nations over torture she says police inflicted on her. Abdullayeva says officers made her stand facing a wall for four hours with no food or water in the summer heat. They then placed a gas mask over her head and blocked the air supply, according to her complaints seen by Forum 18 News Service. The police chief in Hazorasp in Khorezm Region refused absolutely to discuss her account of torture with Forum 18. Asphyxiation with a gas mask – known in police slang as the "little elephant" - is a common torture in Uzbekistan's police stations. "The detainee has the impression that the officers are going to kill him," a human rights defender told Forum 18 from Tashkent. "Even the strongest person can hold out for no more than 30 seconds." Forum 18 notes that the many victims (including children) of Uzbekistan's widespread use of torture normally choose not to complain or make their suffering public, for fear of state reprisals.

Jehovah's Witness paediatrician Gulchehra Abdullayeva has chosen to go public over her attempts to gain justice for torture she says Uzbekistan's police inflicted on her, to punish her for exercising her right to freedom of religion or belief. Abdullayeva says officers made her stand facing a wall for four hours with no food or water in the summer heat. They then placed a gas mask over her head and blocked the air supply. "Putting on a gas mask from which they pump out the air is not only degrading, but amounts to torture," Abdullayeva noted in her complaints to Uzbek official bodies seen by Forum 18 News Service. The local police chief refused absolutely to discuss with Forum 18 her account of the torture.

Forum 18 notes that asphyxiation with a gas mask is a common torture in Uzbekistan's police stations. This form of torture has also been used against street children (see below). However, Jehovah's Witnesses told Forum 18 it is the first known use of this against their members. They say Abdullayeva "is looking forward to justice from state agencies and that such inhumane torture methods from the law-protecting state bodies never happen again".

Abdullayeva wrote complaints about the torture and the fine she was given, not only to Uzbek official bodies, but also to the United Nations (UN) Special Rapporteur on Torture and the Special Rapporteur on Freedom of Religion or Belief. Forum 18 notes that the many victims of Uzbekistan's widespread use of torture normally choose not to complain or make their suffering public, for fear of state reprisals.

Torture "routine"

The UN Committee Against Torture found in November 2007 that the use of torture by state officials is "routine" in Uzbekistan (see Concluding Observations CAT/C/UZB/CO/3 <http://www.unhcr.org/refworld/docid/47c7d85e2.html>). Torture used against those arrested for exercising their religious freedom – including Muslims, Christians and Jehovah's Witnesses – has also involved "informal" methods. These include severe beatings leading to concussion accompanied by police pressure on hospitals not to treat victims (see e.g. F18News 15 June 2011 http://www.forum18.org/Archive.php?article_id=1581), and threats of physical and sexual violence (see e.g. F18News 17 March 2008 http://www.forum18.org/Archive.php?article_id=1101).

Women are often particularly targeted by male officials. In a not untypical incident in 2010 - the month, location, belief involved and details of which are confidential - female religious believers detained during a police raid were threatened with having their clothes forcibly removed, being tortured with electricity, and then pictures of them being raped by male criminals being made public (see F18News 29 April 2010 http://www.forum18.org/Archive.php?article_id=1438)

In 2003, the then UN Special Rapporteur Against Torture Theo van Boven found, following a visit to Uzbekistan, "that torture or similar ill-treatment is systematic" in Uzbekistan (see his report E/CN.4/2003/68/Add.2 <http://www.unhcr.org/refworld/docid/4090ffc80.html>).

Detained

Abdullayeva is a 54-year-old Jehovah's Witness from the village of Muhayon near Hazorasp in Khorezm Region of western Uzbekistan, close to the border with Turkmenistan. She works as a paediatrician in the local maternity hospital. She is married with

one son and two grandchildren.

She was detained at her home on 15 July, two weeks after returning from a private visit to neighbouring Kazakhstan, according to her complaints seen by Forum 18. The three officers – Atahan, Timur and Ruslan (who did not give their surnames) – took her to the police station in Hazorasp.

The duty officer at Hazorasp police told Forum 18 on 14 August that the only officer they have named Atahan is Captain Atahan Boltayev of the Criminal Investigation Department.

At the police station, officers searched Abdullayeva and questioned her about her visit to Kazakhstan. They insisted that she had brought back Jehovah's Witness literature and demanded that she say where it was hidden. She denied this. Unhappy at the response, the officers immediately took her back to her home. Four officers, together with the local police officer, searched her home thoroughly without a warrant.

Also present were two members of the mahalla committee, the posbon (neighbourhood guardian) and the religious advisor.

Mahalla (local district) committees are the lowest level of government in Uzbekistan. Each mahalla also has several posbons, a role created in April 1999. They are "paid by the state to work with the mahalla committee and the local police to prevent crime, maintain public order, and to strengthen the social and moral environment as defined by the government", Human Rights Watch noted in a September 2003 report. The state has long used mahalla committees to crackdown on people exercising religious freedom without state permission (see eg. F18News 27 March 2007 http://www.forum18.org/Archive.php?article_id=936).

Atahan and the other police officers "were perplexed when they could not find any religious literature in my home", Abdullayeva noted in her complaints. "They started demanding that I hand over at least some kind of religious literature." When she insisted she had none, they began threatening "that they would force me to hand some over, by using my son". She added that when the police said they would take her son as well, the posbon warned her husband not to allow this as police would beat him. "So my husband said that he would not allow my son to be taken to the police."

Abdullayeva's son, who is not a Jehovah's Witness, is 23 years old and married with two children.

Police then took Abdullayeva back to the police station in Hazorasp. She noted that Atahan and the other officers were by now angry. They started addressing her with the familiar form of "you" and spoke crudely. At the police station they forced her to stand in an office facing the wall for about four hours, while the temperature was above 40 degrees Centigrade. During that time they gave her no food or water. Officers placed a pair of handcuffs on the table by her and threatened to put them on her and leave them there until her husband or son brought in at least the Injil (New Testament in Uzbek).

Abdullayeva then heard the officers talking about a gas mask. Not having one at the police station, they phoned the nearby branch of the Agrobank bank. Learning that the bank had a gas mask, officers collected it and brought it in. The officers forced Abdullayeva to put on the gas mask, but she was unable to do so. They then forcibly put it on her, Jehovah's Witnesses told Forum 18, bruising her and causing a black eye in the process. After putting it on, Atahan told her to knock on the desk when she could "remember" where she had hidden the Injil.

As soon as officers started cutting off her supply of air, Abdullayeva knocked on the desk. Two other police officers then entered the room and took off her gas mask, telling her they would continue the interrogation. They gave her a pre-prepared statement about her involvement in Jehovah's Witness activity for her to sign. They also asked her for information about her fellow Jehovah's Witnesses.

Abdullayeva wrote her own statement, changing some of the points of the officers' pre-prepared statement. "I couldn't agree with what they insisted that I write - in other words, the statement was written at the dictation of the police officers", she complained. Officers then confiscated her identity document, telling her that she could go. It was by now 9 pm. They said she could get her identity document back when she brought in a copy of the Injil or another religious book.

Fined

Although she did not bring any religious book to the police, Abdullayeva was taken by the local police officer on 25 July to Hazorasp District Criminal Court. According to the verdict seen by Forum 18, the head of the Court, Judge Sadarbek Toganov, found her guilty of violating Administrative Code Article 241 ("Teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organisation, as well as teaching religious beliefs privately").

Judge Toganov fined her five times the official minimum monthly wage, a total of 314,600 Soms (960 Norwegian Kroner, 130 Euros or 160 US Dollars at the inflated official exchange rate).

Forum 18 notes that the written verdict, which is only just over one page, is far shorter than almost all similar verdicts Forum 18 has

seen.

Strangely, the verdict describes Abdullayeva as being unemployed, even though she has a full-time job at the local maternity home. It also claims that she was preaching her faith to others on 15 July, even though Jehovah's Witnesses insist this was not the case. They point out that Abdullayeva was detained on 15 July at her home. The verdict also claims that she admitted her guilt in court. Jehovah's Witnesses also dispute this.

In her complaints, Abdullayeva indicates that no evidence was presented at the hearing. "It was not clear for what actions they were bringing me to administrative responsibility". However, the verdict claims that "witnesses and evidence" were presented. Abdullayeva was told her identity document would be returned when she had paid the fine.

Abdullayeva received the written verdict "only with great difficulty" on 2 August, Jehovah's Witnesses told Forum 18. This gave her only one day to file an appeal to Khorezm Regional Court. No date has yet been set for the appeal hearing.

"She made no complaints"

Hazorasp District Police Chief Erkebai Yusupov refused absolutely to answer any questions. "If you have any complaints, write an appeal and we will respond," he kept repeating to Forum 18 on 14 August. Told that Forum 18 is a news agency and that it was seeking his response to Abdullayeva's account of torture in his police station, Yusupov repeated his earlier statement. He then put the phone down.

Judge Toganov insisted that the verdict in Abdullayeva's case matched what happened in court. "She made no complaints about proceedings," he claimed to Forum 18 from Hazorasp on 13 August. Asked whether Abdullayeva had complained during the hearing that police had tortured her using a gas mask, Judge Toganov initially said she had, then said she had not. As soon as Forum 18 asked about what evidence against Abdullayeva and witnesses had been presented in court, Toganov put the phone down. Subsequent calls went unanswered.

Staff of Agrobank's branch in Hazorasp confirmed that like other institutions in Uzbekistan they have gas masks on site. "There must be gas masks for defence against gas," they told Forum 18 on 13 August. Staff said they could not recall if police had borrowed a gas mask on 15 July.

Complaints

On 27 July, Abdullayeva filed appeals against the torture and the fine to the Presidential Administration, the General Prosecutor's Office, the Parliamentary Human Rights Ombudsperson Sayora Rashidova, and the government's Religious Affairs Committee in Tashkent.

She had received no response to these appeals as of 13 August, Jehovah's Witnesses told Forum 18.

The man who answered the telephone of the Presidential Administration's press service on 14 August told Forum 18 it was a wrong number and put the phone down. The General Prosecutor's Office referred Forum 18 to its Complaints Department. However, the telephone went unanswered each time Forum 18 called on 14 August. Forum 18 was unable to get through by telephone to the Parliamentary Human Rights Ombudsperson's Office on 14 August.

The man who answered the telephone of Begzod Kadyrov, the Religious Affairs Committee official responsible for non-Muslim communities, told Forum 18 on 14 August that he was not there. The official, who did not identify himself, then put the phone down. When Forum 18 called back, the phone was switched to a fax machine.

On 9 August Abdullayeva submitted her appeal to the two United Nations Special Rapporteurs.

"Little elephant" often used

A Tashkent-based human rights defender notes that police often use asphyxiation using gas masks to force confessions, though mainly from those accused of criminal offences. "This is called in police slang 'little elephant'," the human rights defender, who asked not to be identified for fear of state reprisals, told Forum 18 in mid-August. "Police regard it as the most effective method of extracting the necessary testimony from the detainee."

Before starting to use the gas mask, officers check that detainees have no medical condition – such as a weak heart – or scars from an operation that might lead the torture to result in their death.

Several police officers are generally involved in applying the gas mask, the human rights defender notes. "First they handcuff the detainee with their hands behind the back, so that the detainee can't take off the gas mask. Two or three officers then put on the mask, holding the detainee by the arms and legs, often forcing him to the ground. The third officer then blocks the oxygen tube."

The human rights defender told Forum 18 that the effect is almost immediate. "The detainee has the impression that the officers are going to kill him. If the detainee resists strongly, they will beat him at the same time. Even the strongest person can hold out for no more than 30 seconds."

The human rights defender notes that the method leaves no trace on the body of the victim.

Victims

Human rights defenders note that using gas masks to simulate asphyxiation has long been used in Uzbekistan as a punishment and to extract confessions.

Police in Tashkent routinely used gas masks on street children as far back as 2001. "The children complained police often detained them, chaining them to radiators or pipes," a human rights defender who interviewed a number of street children individually in the capital in early 2001 told Forum 18. "Officers frequently placed gas masks over their heads, cutting off the air supply."

In a December 2011 report on torture in Uzbekistan, "No One Left to Witness", Human Rights Watch notes that this "torture technique" continues to be used. "Police place gas masks on suspects and close off the breathing tube valve in order to suffocate detainees. Relatives of some victims reported that police first dress the subject's head with cellophane plastic before placing the gas mask over the head. Victims may be brought to the verge of unconsciousness or lose consciousness. Some witnesses have reported that police sprinkle chemical substances, such as powdered chlorine, in the gas mask tubes to increase the pain inflicted on the victim and accelerate suffocation" (see <http://www.hrw.org/features/no-one-left-to-witness>).

Among the victims of this torture method have been individuals being punished for exercising their right to freedom of religion or belief. To take one example, police in Muinak in Karakalpakstan used gas masks and asphyxiation on two local Protestants in December 2002. The two men were also beaten (see F18News 30 September 2003 http://www.forum18.org/Archive.php?article_id=147).

Police similarly used asphyxiation with a gas mask on Vitaly Suvorov, a Protestant from the Termez suburb of Jarkurgan, in August 2006 (see F18News 6 September 2006 http://www.forum18.org/Archive.php?article_id=838). (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.

A printer-friendly map of Uzbekistan is available at <http://education.nationalgeographic.com/education/mapping/outline-map/?map=Uzbekistan>.

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