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UZBEKISTAN: Poor jail conditions, torture and large fines for Protestants

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

Latipzhon Mamazhanov, a Protestant who was arrested and jailed on 12 March for 15 days in Fergana in eastern Uzbekistan, was released from jail on 28 March. This is one day after he should have been released under the law, Forum 18 News Service has learned. on 31 March. Police illegally raided Mamazhanov's home and those of other Christians in Fergana on 12 March searching for religious literature. Mamazhanov was imprisoned in the Region's Kuva District Police Detention Centre where up to seven inmates were put in a cell designed for two people, no sanitary and hygiene rules are followed, and food is only given once a day. He and other prisoners who insisted they were innocent of crime were also tortured several times. "They can keep one Bible in their homes," Rustam Yegamberdiyev, Head of Fergana City Criminal Police, insisted to Forum 18. "But if they keep more than one then this means that they are intending to gather others in their homes for illegal prayers and meetings. It is exactly the same for Christians, Muslims and others."

Latipzhon Mamazhanov, a Protestant who was arrested and jailed on 12 March for 15 days in Fergana [Farghona] in eastern Uzbekistan, was released from jail on 28 March. This is one day after he should have been released under the law, local Protestants who wish to remain unnamed for fear of state reprisals told Forum 18 News Service on 31 March. Police illegally raided Mamazhanov's home and those of other Christians in Fergana on 12 March searching for religious literature.

Summarising the reason for censorship and raids against Christians and Muslims, a state news agency published an article stating that the government aimed to "isolate the population" (see F18News 18 March 2016 http://www.forum18.org/archive.php?article_id=2159).

Also, four members of a Protestant church without state permission to exist have been given large fines and had a Bible and New Testament confiscated from them (see below).

Poor jail conditions

Mamazhanov was imprisoned in Fergana Region's Kuva District Police Detention Centre with between five and seven other prisoners in a cell intended for two people with two iron beds. "Two inmates slept on the beds while the others - including Mamazhanov - slept on mattresses laid on the concrete floor", Protestants noted. "The mattresses were provided only at nights and taken away at 6 am. Pillows and blankets were not provided."

Prisoners were not allowed to sit on the beds during the day, and were given poor food once a day. They were kept in the cell all day and were not allowed visits by relatives, friends or their lawyers.

"The cells were not heated, and at nights a cold wind blew from under the cell door. The cell was full of lice and bugs," local Protestants stated.

Between 23 and 27 March, two prisoners with tuberculosis (TB) were placed in Mamazhanov's cell.

Muslim prisoner of conscience Khayrullo Tursunov – on a 16-year jail term from June 2013 – was also deliberately exposed to the potentially fatal disease of TB (see F18News 5 November 2013 http://www.forum18.org/archive.php?article_id=1893). Tursunov's relatives thought this was an attempt to kill him and he was moved to another prison in December 2013 (see F18News 18 February 2014 http://www.forum18.org/archive.php?article_id=1930).

In the mornings police officers in Kuva Police Detention Centre "shouted at the inmates and, pushing and hitting them, took them to the lavatory to wash, giving them only three minutes to do so. No soap or items of personal hygiene were given."

The United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners (adopted unanimously by the UN General Assembly in revised form on 17 December 2015 and known as the Mandela Rules, A/C.3/70/L.3) require governments to respect the

religious freedom and other human rights of prisoners. Uzbekistan routinely ignores them (see eg. F18News 17 February 2016 http://www.forum18.org/archive.php?article_id=2149).

Torture

"Several times police officers took Mamazhanov and other inmates who insisted they were innocent of crime to another room in the Detention Centre and tortured them by hitting them," local Protestants complained. The UN Committee Against Torture has found that torture is "routine" in Uzbekistan (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Three police informers were placed in Mamazhanov's cell, who tried to gain his confidence and convince him to claim that he committed unsolved crimes. The informers, local Protestants stated, claimed that if Mamazhanov did not admit to unsolved crimes he would be charged with "religious extremism" and given a long prison term.

"It is not true"?

Lieutenant Colonel Ikhtiyor Millazhanov, Chief of Kuva Police, put his phone down as soon as Forum 18 introduced itself on 7 April and asked about Mamazhanov. Subsequent calls to him on the same day went unanswered.

The Head of Kuva District Police Detention Centre, Akrom Kuchkarov insisted that police had not tortured Mamazhanov and other prisoners, claiming to Forum 18 on 7 April that "it is not true".

Asked why up to seven inmates were put in a cell designed for two people, no sanitary and hygiene rules are followed, and food is only given once a day, Kuchkarov hesitated and then said: "Why don't you come here and see with your own eyes that we have very good conditions?"

Why was Mamazhanov jailed?

Judge Shukhrat Sotivoldiyev of Fergana Criminal Court jailed Mamazhanov (see F18News 18 March 2016 http://www.forum18.org/archive.php?article_id=2159). Between 31 March and 12 April Court officials (who would not give their names) repeatedly claimed that the Judge was busy and would not explain to Forum 18 why Mamazhanov was jailed for alleged "hooliganism".

Why was Mamazhanov kept in jail illegally?

Asked why Mamazhanov was released only on 28 March - instead of 27 March when he should have been released - the Head of Kuva District Police Detention Centre Kuchkarov claimed: "That is not true, he was released on 27 March."

As of 13 April, Fergana Criminal Court had still not provided Mamazhanov with a copy of the 12 March verdict, Protestants told Forum 18. On 26 March his legal representative filed an appeal against the verdict to Fergana Regional Criminal Court through Fergana City Court. But the City Court on 29 March illegally refused to pass on the case to the Regional Court claiming – wrongly - that cassation appeals should be lodged within 10 days of the verdict.

Police visit

Ikror Butayev and Akhror Akhmedov of Fergana Police visited Mamazhanov after his release, Protestants told Forum 18. Both police officers refused to tell Forum 18 whether they will bring any new charges against Mamazhanov. "I am only a police officer and cannot discuss it with you," Akhmedov told Forum 18 on 7 April. He then put the phone down.

Fine promised

As well as raiding Mamazhanov's home on 12 March, on the same day police raided five other Christian homes in Fergana (see F18News 18 March 2016 http://www.forum18.org/archive.php?article_id=2159).

Among those raided was one of Mamazhanov's brothers, Marifzhon. Seven police, including T. Boltabayev of Fergana's Criminal Police and Inspector Sh. Shomirzayev, raided Marifzhon Mamazhanov's home at 6.30 am without a search warrant. Officers illegally confiscated a tablet device, a computer hard disc, a mobile phone, and Christian books bought from the officially registered Bible Society in the capital Tashkent.

Police told Marifzhon Mamazhanov that he would be charged and fined under the Code of Administrative Offences Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). This is because he allegedly "illegally stored Christian books in his home", local Protestants told Forum 18.

Illegal prayer - "the same for Christians, Muslims and others"

"We were told that Begzod Kadyrov of the Religious Affairs Committee has stated that books purchased from the Bible Society can be used only inside Churches and not in homes," Protestants said. The authorities have long tried to impose censorship against religious books in homes (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

"They can keep one Bible in their homes," Rustam Yegamberdiyev, Head of Fergana City Criminal Police, insisted to Forum 18 on 12 April. "But if they keep more than one then this means that they are intending to gather others in their homes for illegal prayers and meetings. It is exactly the same for Christians, Muslims and others." He then ended the call.

Protestants described this policy to Forum 18 as "nonsense and outrageous".

Police obstruct complaint to prosecutor

When local Protestants heard of the 12 March raids, that day one of them, Murot Turdiyev, and two of Mamazhanov's brothers told police they will report them to Kirgili District Prosecutor's Office (which is between Margilan and Fergana). The Protestants went to the Prosecutor's Office in Turdiyev's car and police followed them in three cars.

When they came to the Prosecutor's Office and got out of the car, police officers prevented them entering the Prosecutor's Office. Lieutenant Colonel Otabek Azimov, Deputy Head of the Criminal Investigation Department (CID), made a phone call and in five minutes Sergeants Farhodzhon Mahmudov and Ulugbek Khasanov of Margilan City Traffic Police arrived. The Traffic Police confiscated Turdiyev's car, claiming that he had allegedly violated traffic rules – even though they could not prove this.

Turdiyev was tried by Judge Shukhrat Sotivoldiyev of Fergana City Criminal Court under Administrative Code Article 194 ("Failure to carry out the lawful demands of a police officer or other persons carrying out duties to guard public order") between 24 and 28 March. On 28 March he gave Turdiyev a formal warning. After the hearing Traffic Police returned Turdiyev's car.

Turdiyev is under regular police surveillance. In May 2015 he was tortured by police after his car was stopped, and lost consciousness as a result (see F18News 4 June 2015 http://www.forum18.org/archive.php?article_id=2070).

The phones of Margilan City Traffic Police and its Head Major Anvar Sotivoldiyev went unanswered on 12 April. Lieutenant Colonel Azimov of Fergana CID claimed to Forum 18 on 18 March that "I am busy" and referred Forum 18 to Major Anvar Myrzayev from the CID. Myrzayev's phone was not answered between 18 March and 12 April.

Raided, fined

On 7 February police in Okdarya District of the central Samarkand Region raided the home of local Christian Malika Khidirova. During the raid, officers confiscated one Bible and one New Testament, both in Uzbek.

Khaidirova, along with Munis Oblakulov, Sanobar Aripova and Khudoyor Muhamadiyev, were brought to court under Administrative Code Articles 184-2 ("Illegal production, storage, or import into Uzbekistan with a purpose to distribute or distribution of religious materials by physical persons"), 240 ("Violation of the Religion Law") and 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").

All four members of a Protestant church without state permission to exist were fined. Judge Shohmurod Begmatov of Okdarya District Criminal Court on 22 March fined: Oblakulov 60 times the minimum monthly salary or 7,814,400 Soms (about 22,300 Norwegian Kroner, 2,400 Euros, or 2,700 US Dollars at the inflated official exchange rate); Khidirova 20 times the minimum monthly salary or 2,604,800 Soms (about 7,430 Norwegian Kroner, 800 Euros, or 900 US Dollars); and Aripova and Muhamadiyev 10 times the minimum monthly salary or 1,302,400 Soms each (about 3,715 Norwegian Kroner, 400 Euros, or 450 US Dollars).

Judge Begmatov also ordered the formal confiscation of the Bible and New Testament. He refused to discuss the case with Forum 18. "The defendants can appeal against my verdict if they do not agree", he stated on 12 April. "I am not empowered to discuss the verdict with you over the phone." (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 is at http://www.forum18.org/Archive.php?article_id=1351.

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY