

21 May 2019

UZBEKISTAN: Torture, no pardon, for prisoner of conscience

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

Officials tortured Muslim prisoner of conscience Khayrullo Tursunov over six hours in an attempt to extract false testimony and ridiculed him for thinking of applying for parole. A Shia Muslim jailed for having Shia texts has been given parole, but officials know of no legal Shia texts.

Officials from the southern Kashkadarya Region – possibly from the SSS secret police – arrived at the Labour Camp in Bukhara Region where Muslim prisoner of conscience Khayrullo Tursunov is being held. They tortured him over a period of six hours on 17 April and threatened to extend his 16-year jail term. They were trying to extract false testimony against a distant relative who has lived outside Uzbekistan since 2006. Tursunov refused to sign the pre-prepared statement.

The 44-year-old Tursunov is serving a 16 year sentence imposed in 2013 for meeting without state permission with other Muslims to study the Koran and pray. His family have since March 2018 been seeking a pardon for him (see below).

Since April 2018, Tursunov's family have been trying to convince him to write to the President for a pardon, a relative told Forum 18. But Korovulbazar Labour Camp officers told him that "even if you write a letter it will not help you. No one will release you." The officials also laughed at him for thinking that he could be pardoned. Due to the officials' behaviour, including torturing him on 17 April 2019, relatives say that Tursunov thinks there is no point in applying for a pardon (see below).

Officials – possibly from the SSS secret police – tried to get him to sign false statements against a distant relative, Bayramali Yusupov. Yusupov has been in exile since 2006 after criminal charges were brought against him for having attended a Turkish-run school and being active in mosques. He has been seeking a guarantee that he can return without being prosecuted, but the regime will not grant this. "In March and April 2019 up to 20 Muslim men were questioned about me, some of whom are serving prison terms," Yusupov told Forum 18 (see below).

Exiled human rights defender Mutabar Tajibayeva of Fiery Hearts told Forum 18 that she thought that "the authorities are afraid that if Yusupov comes back to Uzbekistan he will speak about many of their crimes against innocent Muslims" (see below).

Tursunov was "beaten and put under psychological pressure" over about six hours on 17 April 2019, a relative told Forum 18. Tursunov was "pressured to sign statements against Yusupov that the officials had prepared in advance, and threatened that his Labour Camp sentence would be extended unless he signs". However, despite the torture, Tursunov did not sign the pre-prepared statements (see below).

Despite numerous complaints from the family, and contrary to the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, no officials have been arrested or prosecuted for torturing Tursunov. Forum 18 is aware of other cases where officials who have acted illegally also apparently enjoy impunity. No official has been prepared to talk to Forum 18 about the impunity torturers enjoy (see below).

Elsewhere, Jahongir Kulijanov, a Shia Muslim from Bukhara has been freed on parole. He was among 20 Shias detained in Bukhara in February 2017 and tortured. Kulijanov was jailed for five years in September 2017 for having works on Shia history on his mobile phone (see below).

Kulijanov must give the regime 20 per cent of any salary he earns, report to police weekly, cannot leave his home town without police permission, and must not leave Uzbekistan, relatives who wished to remain unnamed for fear of state reprisals told Forum 18. His parole will end in 2022 when his Labour Camp sentence ends. Police allow him to attend a mosque, but relatives pointed out "unless the authorities decide that it is lawful to read Shia history on the internet, we cannot do this" (see below).

The state Religious Affairs Committee in the capital Tashkent told Forum 18 that it does not know whether any texts about Shia Islam are legally available in the country (see below).

Illegally extradited, jailed for 16 years, exposed to TB

Kazakhstan illegally extradited Khayrullo Turdiyevich Tursunov (born 4 April 1975) to Uzbekistan in March 2013 (http://www.forum18.org/archive.php?article_id=1829). He was sentenced in June 2013 to 16 years in jail for meeting privately with other Muslims without state permission to study the Koran and pray. Shortly after his sentence, Tursunov was apparently deliberately exposed by the regime to the potentially fatal disease of tuberculosis (http://www.forum18.org/archive.php?article_id=1893).

Tursunov's health has given concern to his relatives throughout his imprisonment, and in 2016 he was apparently tortured. "Khayrullo was either tortured in prison or is in deep depression, his sisters did not know the exact reasons," Tursunov's relatives outside Uzbekistan told Forum 18 in February 2016. "But he sounded like he was saying his last goodbye to his sisters because he thought the end of his life is coming." (http://www.forum18.org/archive.php?article_id=2149)

Tursunov's state of health later improved. But relatives told Forum 18 on 20 May 2019 that he appears to be suffering from stomach problems, for which he needs medicine relatives buy him.

"No one will release you"

Following the release in 2018 of some prisoners of conscience jailed for exercising their freedom of religion and belief (http://www.forum18.org/archive.php?article_id=2369), Tursunov's family hoped that he too could be freed. From March 2018 onwards, relatives asked the regime, including the prison and the Interior Ministry, to free him. One of his sisters, Mukaddas Tursunova, also phoned President Shavkat Mirziyoyev's office.

Both the Interior Ministry and the President's office stated that Tursunov himself must personally write an appeal for a pardon to President Mirziyoyev.

Tursunova wrote to the Interior Ministry asking whether her brother had been told he had to ask for a pardon himself. The Interior Ministry's Deputy Chief of Staff A. Kodyrov wrote back on 18 April 2018 saying that officials had told Tursunov of this.

On 18 April Korovulbazar Labour Camp officers Captain A. Latipov, Senior Lieutenant B. Jamolov, and Lieutenant F. Shabanov notified Tursunov of this in writing. "However these Labour Camp officials told Khayrullo that this is just a formality," a relative told Forum 18. "Even if you write a letter it will not help you. No one will release you." Officials also laughed at Tursunov for thinking that he could be pardoned.

Since April 2018 Tursunov's family have been trying to convince him to write to the President for a pardon, a relative told Forum 18. However, due to the behaviour of officials (for example torturing him – see below) Tursunov does not think there is any point in doing this.

Tursunov's Labour Camp address is:

Uzbekistan

Bukhara Region

Korovulbazar sh.

Uchr. UYa-64/25

Tursunov Khayrullo Turdiyevich

Prisoner of conscience tortured

On 17 April 2019 officials from the southern Kashkadarya Region, where Tursunov comes from, questioned and tortured Tursunov in Korovulbazar Labour Camp where he is serving his sentence. The officials tortured him to extract statements from him against a distant relative, Bayramali Yusupov.

Yusupov fled Uzbekistan in 2006 after "extremism" criminal charges were opened against him, he told Forum 18 from exile on 15 May 2019. "I actively attended the Kuk Gumbaz (Blue dome) Mosque of Karshi [Qarshi] and prayed at my work in a Turkish construction company, after gaining my education in a Turkish-run lycee," he stated. "The authorities claimed that almost everyone who finished a Turkish-run school and was active in mosques might be 'extremist'. I was questioned many times, long before they opened a criminal case against me."

Yusupov – like others - has asked to be allowed to return with a guarantee of no prosecution, but the regime has refused to do this. "In March and April 2019, up to 20 Muslim men were questioned about me, some of whom are serving prison terms," he told Forum

Human rights defender Mutabar Tajibayeva of Fiery Hearts told Forum 18 from exile in Paris on 15 May that she thought that "the authorities are afraid that if Yusupov comes back to Uzbekistan he will speak about many of their crimes against innocent Muslims".

Tursunov was over an approximately six hour period on 17 April 2019 "beaten and put under psychological pressure", a relative told Forum 18. Officials pressured Tursunov "to sign statements against Yusupov that the officials had prepared in advance, and threatened that his Labour Camp sentence would be extended unless he signs". However, despite the torture, Tursunov did not sign the pre-prepared statements.

Unfair trials with the use of false evidence are common in Uzbekistan (http://www.forum18.org/archive.php?article_id=2314).

The family suspects that the officials were from the State Security Service (SSS) secret police, as it is known that the investigation against Yusupov is being led by Investigator Turgun Umirov of the Kashkadarya Region SSS.

A Kashkadarya SSS secret police officer (who refused to give his name) on 20 May claimed to Forum 18 – after consulting other officials - that it is a "wrong number" as soon as Forum 18 asked about Tursunov and Yusupov.

"How is it possible..?"

During a 2 May visit by relatives to Tursunov they complained to Labour Camp officials about the questioning and torture. "Officials told us that they know nothing about it," they told Forum 18. One relative asked: "How is it possible that officials come and interrogate Khayrullo in the Labour Camp, and the Labour Camp authorities know nothing about it?"

Mukaddas Tursunova, Tursunov's sister, complained about the torture to: the head from February 2019 of the SSS secret police Abdusalom Azizov; parliamentary Human Rights Ombudsperson Ulughbek Mukhamadiyev; Prosecutor General Otabek Murodov; and Interior Minister Pulat Bobojonov, dunyouzbeklari.com noted on 10 May.

Tursunova stated that Tursunov was thinking of writing to ask for a pardon, but after being tortured and interrogated for six hours he does not think he will be pardoned.

She also asked the government to identify the three officials who tortured Tursunov and pressured him to testify against an innocent person, and punish the officials according to the law.

Under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Uzbekistan has a binding international legal obligation to arrest any person suspected on good grounds of having committed torture, and to try them under criminal law (http://www.forum18.org/archive.php?article_id=2314).

An official who refused to give his name who answered the phone of Colonel Bakhrombek Adylov, Deputy Interior Minister and head of the Ministry's Chief Directorate for the Enforcement of Punishments, refused to comment on the torture of Tursunov. He also refused to put Forum 18 through to other officials, or talk further. No other Interior Ministry official was prepared on 17 May to talk about the impunity torturers enjoy.

"What do you expect..?"

The regime frequently uses extreme and repeated pressure – including torture - against people of all faiths exercising their freedom of religion and belief (http://www.forum18.org/archive.php?article_id=2314). Among other recent examples the mother-in-law of a Protestant Christian was ordered by police to physically attack her and evict her from her home, and the use of other forms of torture. Contrary to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, no prosecutions appear to have been brought in these and other cases (http://www.forum18.org/archive.php?article_id=2434).

Repeated attempts – for example by Jehovah's Witnesses (http://www.forum18.org/archive.php?article_id=2374) and Protestants (http://www.forum18.org/archive.php?article_id=2445) – to end the impunity officials enjoy to commit torture and other illegal actions have not resulted in prosecutions or jail sentences for the officials concerned.

"I know of no cases when officials were arrested or put on trial for torture of Christians," one Protestant told Forum 18 on 20 May. "Officials violate the law, the Constitution, international obligations, and even internal regulations of the law-enforcement agencies. But they are 'not guilty' because they are doing their job."

The Protestant added: "What do you expect when the Religious Affairs Committee thinks that even the post cards we send each other on Christian holidays are extremist?"

Shia Muslim released on parole, but still no legal Shia texts

Jahongir Kulijanov, a Shia Muslim from Bukhara [Bukhoro], was among 20 Shias detained in Bukhara in February 2017 and tortured, and fined in August 2017. Kulijanov was jailed for five years in September 2017 for having works on Shia history on his mobile phone (http://www.forum18.org/archive.php?article_id=2365). Munojot Parpiyeva, his lawyer, lodged an appeal with Bukhara Regional Court on 29 June 2018 (http://www.forum18.org/archive.php?article_id=2390).

On 5 February 2019 Kulijanov was freed on parole, relatives who wished to remain unnamed for fear of state reprisals told Forum 18 on 2 May. He must give the regime 20 per cent of any salary he earns, report to police weekly, cannot leave his home town without police permission, and must not leave Uzbekistan. His parole will end in 2022 when his Labour Camp sentence ends.

No officials responsible for torturing any of the 20 Shia Muslims in Bukhara in 2017 appears to have been either arrested or put on criminal trial.

Police allow Kulijanov to attend a mosque, but relatives pointed out "unless the authorities decide that it is lawful to read Shia history on the internet, we cannot do this." Uzbekistan imposes severe censorship of all religious materials (http://www.forum18.org/archive.php?article_id=2314).

Mukhddin Khakimov, who is responsible for state Religious Affairs Committee work with mosques, told Forum 18 on 17 May that he does not know whether any texts about Shia Islam are legally available in the country. He referred Forum 18 to officials of the Committee's "Expert Analysis" Section who - like the head of the Committee – did not answer their telephones on 17 May. (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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