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UZBEKISTAN: Agents provocateurs, arrests, torture, criminal cases

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In three known cases so far in Tashkent in 2020, Muslims who discussed their faith with others are being prosecuted for alleged terrorism-related offences. In all three cases, the men were tortured and agent provocateurs used to bring false charges. Separately, a surgeon in Karakalpakstan who asked about coronavirus cases and then had religious texts confiscated has been put under house arrest.

In the third known case so far in 2020 in Uzbekistan's capital Tashkent, Muslims who sought to find out more about their faith and discussed it with others are being prosecuted for alleged terrorism-related offences. In all three cases, the authorities subjected the men to torture and appear to have used agents provocateurs to build a criminal case against them.

In an unrelated case, a trauma surgeon in the north-western Karakalpakstan Region has been placed under house arrest for an unspecified period and so is unable to continue his work for patients. Dr Alimardon Sulonov, who is known for publicly discussing Muslims' freedom of religion and belief, called the local medical emergency service to ask whether there were any coronavirus cases in Karakalpakstan. Officials came to the hospital to question him about whether he had any religious texts, and later detained him before putting him under house arrest. Dr Sulonov has already been charged under a new Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease"), and now faces new criminal charges. Interior Ministry officials told him that "those who wear a beard are terrorists" (see below).

In the third known case involving torture and an agent provocateur, on 7 January Tashkent Police arrested about 25 Muslim men who had been part of a group who met regularly to discuss their faith while drinking tea or having a meal. Four of the men were ordered held in pre-trial detention. Police officers tortured the four men by beating them with truncheons in the days after their arrest, as well as denying them food for the first two days of detention and then feeding them bread and water only. Two of those who were tortured are known to have health problems. At least one of those initially detained is thought to have been a police agent provocateur. The case against at least three appears close to being sent to court for trial (see below).

In the second known case, on 18 March the trial began in Tashkent City Criminal Court of eight Muslims accused of allegedly downloading "extremist sermons" and discussing Islam among themselves. One of them is thought to be a police agent provocateur. Their trial continues. All eight were tortured in pre-trial detention. Against Uzbekistan's binding international human rights obligations, no official suspected of involvement in the torture of the Muslims has been arrested and put on criminal trial for torture (see below).

In the first known case, at the end of a trial on 13 March of four men aged between 19 and 22 who had sought to learn more about Islam, Tashkent City Criminal Court jailed three of them for between five and six years. The fourth was given a community work sentence and 10 per cent deduction of his wages for a year. (http://www.forum18.org/archive.php?article_id=2575) Since 2016, the four young men had been interested in finding out about Islam. But one man – apparently on police instructions - tried to get them to agree to support terrorism and go to Syria to fight. The agent provocateur was not put on trial and was a witness for the state during the trial of the four young men. While giving testimony "he accidentally admitted that he received instructions from the police", a relative who wishes to remain anonymous for fear of state reprisals told Forum 18.

Police tortured all four of the men in pre-trial detention (http://www.forum18.org/archive.php?article_id=2575). Against Uzbekistan's binding international human rights obligations under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (http://www.forum18.org/archive.php?article_id=2314), no official suspected of involvement in torture in any of the three cases has been arrested and put on criminal trial for torture.

Why the targeting of Muslims discussing their faith?

On 22 July 2020, Forum 18 tried to reach Lieutenant-Colonel Nuriimon Abulkhasan, head of the Interior Ministry's "Struggle with Extremism and Terrorism Department" in Tashkent. He was a deputy chair of the Religious Affairs Committee

(http://www.forum18.org/archive.php?article_id=2314) before being appointed to his new role in September 2019.

The regime often uses "Struggle with Extremism and Terrorism Departments" to target people exercising their freedom of religion and belief. (http://www.forum18.org/archive.php?article_id=2314)

The official who answered Lt-Col Abulkhasan's phone, who refused to give his name, claimed the Lt Col was not in the office. Forum 18 asked the official why Muslims who want to discuss and find out more about their faith are being targeted with agents provocateurs, arrests, torture and criminal cases. The official put the phone down without replying and subsequent calls went unanswered.

Police arrest and torture Muslims who met to discuss Islam

In the latest of the three cases, on 7 January Tashkent police arrested a large group of Muslim men who met regularly to discuss their faith while drinking tea or having a meal. Among those arrested were: Ravshan Utkirovich Igamberdiyev (born 14 November 1987) and his brother in law, Iskandar Alimovich Iskandarov (born 24 January 1988).

"We have not seen my husband or brother since they were arrested," Sabina Sakhibova, Igamberdiyev's wife and Iskandarov's sister, told Forum 18 on 17 July 2020.

The other Muslim men who met to discuss Islam, and who were arrested, include: Fariduddin Bakhodir o'g'li Abduvokhidov (born 14 June 1994), Ranjbar Akhad o'g'li Abdul (born 1 May 1988), Sardor Abdukakhorovich Ibragimov (born 19 August 1986), Khurshid Jamshid o'g'li Mukhamedov (born 22 September 1996), Abdul-Kudus Khursandali o'g'li Rizamatov (born 19 October 1996), Akbar Tuygunovich Absalov (born 20 February 1987), Iskandar Alimovich Iskandarov (born 24 January 1988), and Ravshan Utkirovich Igamberdiyev (born 14 November 1987 - Iskandar Iskandarov's brother-in-law).

One of those arrested, Kamronbek Bakhodir o'g'li Abduvokhidov (born 10 August 2000 - Fariduddin Abduvokhidov's brother), was "arrested with the false claim that he insulted a certain woman on the street", relatives told Forum 18. Police then confiscated his mobile phone and claimed to have found allegedly "extremist Muslim religious texts" on it.

Human rights defender Tulkun Astanov put the number of those arrested at about 25. "Relatives of some of them have complained to us but unfortunately I cannot give their names or details to you," he told Forum 18 on 11 July 2020.

Sakhibova confirmed to Forum 18 that she also has heard that the number of the arrested men was up to 25. "They were all arrested on the same day. My husband was detained in our flat and my brother at his work at a construction site." The others were arrested "on the street, some in a mosque".

The authorities placed eight of the men in detention, while they released the rest of the approximately 25 arrested men later on 7 January, Astanov and Sakhibova separately told Forum 18. "Four of the eight detained men were released after a few days, I do not know exactly when," Sakhibova added. "At present, two men remain in custody with my husband and brother."

While the four men - Igamberdiyev, Iskandarov, Absalov and Fariduddin Abduvokhidov - were held by police between 7 and 12 January, officers tortured them with physical violence and starvation, Sabikhova stated. "For the first two days they were given nothing to eat," Sabikhova said. "On the third day they gave them only bread and water." The men were also beaten with police truncheons, Sabikhova added.

No one at Tashkent City Police would explain to Forum 18 on 22 July why its officers tortured the four men, or whether in line with international human rights law any suspected torturer had been arrested and prosecuted for the torture.

House searches, pre-trial detention ordered

On 9 January, police searched the homes of Igamberdiyev and Iskandarov and possibly others. "They took a flash drive and a smart phone from my brother, which contained only music and family photos," Sakhibova said. "From us they took a notebook computer."

After Fariduddin Abduvokhidov's arrest on 7 January, police searched his home in Tashkent's Mirzo Ulugbek District. They claimed to have found an airline ticket for Istanbul, and fertiliser that could be used for bomb-making. Police also found 59 blank machine-gun cartridges in the garage, but these were given to Abduvokhidov by the Vatan Film Studio in June 2018 when he and his father worked as extras in a film the studio was making. There was a five-day long break in filming, and Abduvokhidov forgot to give the cartridges back at the end of the break relatives told Forum 18.

The Tashkent court hearing, which in mid-January 2020 ordered the four men held in pre-trial detention, was held behind closed doors, Sakhibova stated.

The four men, who are still in custody, were held at the main Tashkent Police Station for the first five days, and then taken to the

Interior Ministry building's detention prison in Tashkent, Sakhibova said. A few days later, they were taken back to Tashkent Police. They were then again taken to the Interior Ministry and in mid-February transferred to Tashkent's Investigation Prison.

Agent provocateur?

Sakhibova told Forum 18 that her husband told her that he and his friends met regularly to discuss their faith while drinking tea or having a meal between August and late December 2019. "However the last time on 24 December a man calling himself Ranjbar told everyone that he wants to join the fighting in Syria, my husband told me. Everyone got suspicious about this. He might have had a recording device in his pocket." Soon after this, on 7 January 2020, police arrested the men attending the meals.

Ranjbar was one of those detained, and signed statements at the police station against Igamberdiyev and Iskandarov. Relatives of the other Muslims think Ranjbar may be a police agent provocateur, Sakhibova and Astanov told Forum 18. Police have used agent provocateurs in other recent cases of Muslims targeted for discussing Islam. (http://www.forum18.org/archive.php?article_id=2575)

Interior Ministry Investigator, Eldor (who did not give his last name), interrogated Sakhibova and her brother's wife in March. He told them that from August 2019 the group were under surveillance. "During the questioning Investigator Eldor also asked us how long we have been wearing the hijab," Sakhibova stated.

Criminal charges – and trial imminent?

Prosecutors have charged Igamberdiyev, Iskandarov and Absalov (and possibly others) under Criminal Code Article 244-1 ("Production, storage, distribution or display of materials containing a threat to public security and public order"), Article 244-2 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations") and Article 155 ("Terrorism"), Sakhibova told Forum 18.

Fariduddin Abdvokhidov appears to be facing charges in a separate case under eight Articles of the Criminal Code.

"We have not seen my husband and brother ever since their arrest but only talked to them over the phone for three minutes each time," Sakhibova added. "We have talked to them four times, the first time in the end of May. I could talk only to my husband. My brother's wife talked to him also in late May. And the last time I talked to my husband was on 16 June. We do not know when the trial will begin."

Investigator Ulugbek Khamdamov of the Interior Ministry's "Struggle with Extremism and Terrorism Department", who has been leading the case, is due to hand the case to Tashkent's Yakkasaray District Court. This has been delayed because of the coronavirus pandemic, Sakhibova told Forum 18. The Court told Forum 18 on 21 July that the case has not yet arrived.

The man who answered Investigator Khamdamov's phone on 22 July listened to Forum 18's question and then, without saying anything, put the phone down. Subsequent calls went unanswered.

Igamberdiyev, Iskandarov, Absalov and Fariduddin Abdvokhidov (and possibly others) are currently held in Tashkent's Investigation Prison. Sakhibova has concerns about the health situation both of her husband (who has suffered a haemorrhage) and her brother (who has begun suffering from heart problems). Their prison address is:

Ichki Ishlar Vazirligi 1-sonli Tergov Xibixonasi

Bogzor kochasi

Zangiota tumani

Tashkent viloyati

Uzbekistan

Tashkent trial of eight Muslims resumes online

In the second known such case in 2020, the trial continues at Tashkent City Criminal Court of eight Muslims, including Alisher Kasymov, Shakhzodjon Zokirov, Javokhir Akhmedov, Ubaydulla Murtazoyev, Azimjon Abdusamatov, Bakhodyr Jokhonov, and Abdulboriy Abdurakhmonzoda.

They are accused of allegedly downloading "extremist sermons" and terrorism-related offences (http://www.forum18.org/archive.php?article_id=2575). Human rights defender Yelena Uralyeva, who chairs the Human Rights Alliance, and a relative of one of the defendants in custody told Forum 18 that the eight men "began looking for information on the Muslim faith on the internet, and soon the police began watching their social media profiles."

Four of the defendants – including the one who allegedly wanted to blow up a police station and to go to Syria – are not being held in pre-trial detention. Uralyeva and the relative think that police used some of the defendants to "provoke discussions of jihad".

Murtazoyev, Tursunov, Zokirov and Kasymov are in Tashkent's Investigation Prison (see address above). The other four are at home on bail.

The trial began on 18 March under Judge Khamid Shamshiyev (http://www.forum18.org/archive.php?article_id=2575).

On 15 July the Court resumed hearing the case online, with the next hearing set for 17 July and then on 22 July. The four detained defendants appear by videolink from prison. The other four appear in person. Judge Shamshiyev's assistant (who did not give his name) refused to give Forum 18 any information on 21 July about the further progress of the trial.

"Though my defendants and other defendants refused to agree to an online hearing the Court still went ahead on 15 July," lawyer Dilshod Jabborov – who is defending Kasymov and Abdurakhmonzoda - told Forum 18. "Had it not acted quickly on the case, it would have been obliged to release the defendants. Under the Criminal Procedure Code, defendants can only be held in custody for up to six months after a court process begins."

Lawyer Jabborov said two "experts" – one from the Interior Ministry and one from the military – had examined files – including deleted files - extracted from the men's phones and other devices. "I told the court it is not right to examine deleted files, because this shows that the individuals didn't want to listen to them and keep them." He also said that the "experts" did not say which files they examined had been deleted and which were still on the devices.

Jabborov pointed out that files can be sent to anyone on Telegram or other programs "whether you want them or not".

The trial is due to resume on the morning of 24 July. Relatives are not able to attend the trial because of the coronavirus pandemic.

Criminal charges

The charges against seven of the eight Muslims on trial in Tashkent are:

Alisher Kasymov, born 5 December 1986, charged under Criminal Code Articles 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations") and 155-3, Part 1 ("Financing of terrorism");

Shakhzodjon Zokirov, born 3 August 1999, charged under Criminal Code Articles 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations"), 159, Part 1 ("Attempts to change the Constitutional order"), 155 Part 2 ("Terrorism"), and 155-2, Part 1 ("Undergoing training to carry out terrorism");

Javokhir Akhmedov, born 19 August 1996, charged under Criminal Code Articles 244-2, Part 1, 244-1, Part 3 (d) ("Production and storage of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order using the mass media or telecommunication networks, as well as the world wide web");

Ubaydulla Murtazoyev, born 26 January 1996, and Bakhtiyor Tursunov, born 21 August 1997, both charged under Criminal Code Articles 244-2, Part 1, 244-1, Part 3 (d), and 159, Part 3 (a) ("Repeated attempts to change the Constitutional order");

Azimjon Abdusamatov, born 28 February 2000, charged under Criminal Code Articles 244-2, Part 1, 159, Part 1, and 155, Part 2;

Bakhodiy Jokhonov, born 17 November 1999, charged under Criminal Code Article 244-2, Part 1;

Abdulboriy Abdurakhmonzoda, born 20 May 2000, charged under Criminal Code Articles 241, Part 1 ("Failure to report a crime or concealing a crime"), and 155-1, Part 1 ("Failure to report information on terrorist acts").

Torture unpunished

The eight Tashkent Muslims were tortured for 11 days in the Interior Ministry building (http://www.forum18.org/archive.php?article_id=2575), human rights defender Uralyeva told Forum 18 in May. Major Talat Elbekov and other officers "severely beat the defendants to extort confessions. The officers also threatened them that their family members will be brought to the Ministry building and will be severely physically assaulted in front of them. Many of them had bodily injuries."

Lieutenant Colonel Sherzod Shermatov of the Interior Ministry told Forum 18 in June that no arrests or trials of suspect torturers will happen as "all the actions of the investigators were lawful". (http://www.forum18.org/archive.php?article_id=2575)

In 2018 police officer Ravshan Sobirov, who tortured Jehovah's Witness Anvar Tajiyev and made death threats against him, was not arrested and prosecuted for torture as Uzbekistan's international human rights obligations require (http://www.forum18.org/archive.php?article_id=2374). Tajiyev lost hearing in one ear and still suffers headaches. Many complaints to the President, national and local Prosecutor's Offices have led to no arrests or prosecutions.

Similarly, in Urgench and Namangan Regions, the houses of Protestants were raided and searched illegally without warrants. Police also pressured individuals to sign fabricated statements made up by police (http://www.forum18.org/archive.php?article_id=2445). "Investigations" in both places in 2019 found no police wrongdoing. Instead, church members faced threats of punitive measures.

Karakalpakstan doctor under house arrest – trial to follow?

On 31 March, Dr Alimardon Sultonov, a trauma surgeon at Ellikkala Central State Hospital in the north-western Karakalpakstan Region, called the local medical emergency service to ask whether there were any coronavirus cases in Karakalpakstan. Five officials then came to the hospital to question Dr Sultonov, who is known for publicly discussing Muslims' freedom of religion and belief (http://www.forum18.org/archive.php?article_id=2564). They claimed to his 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.

The officials questioned Dr Sultonov about whether he had any religious texts. He said he had Muslim texts on his computer, so officials confiscated it. A criminal case was then opened against him for allegedly spreading false information on lockdown measures (http://www.forum18.org/archive.php?article_id=2564) under the new Criminal Code Article 244-5 ("Dissemination of knowingly false information about an infectious disease"). This Article was added to the Criminal Code on 26 March 2020 following the outbreak of the coronavirus pandemic.

"Those who wear a beard are terrorists", Interior Ministry officials claim

Interior Ministry Investigators Gafur Saliyev and Nemat (who did not give his last name) questioned Dr Sultonov on 22 June in the criminal case opened against him. "The Investigators insulted me for wearing a beard. Those who wear a beard are terrorists, they told me," he told Forum 18 on 17 July.

Ellikala District Police arrested Dr Sultonov on 26 June. The following day, Ellikala District Court ordered him held in pre-trial detention. On 29 June, after Dr Sultonov had been held for three days, Ellikala Prosecutor's Office asked the District Court to change his detention to house arrest. Dr Sultonov remains under house arrest and unable to continue his work for hospital patients as a trauma surgeon.

The decision to transfer Dr Sultonov to house arrest "may be because my case was covered in the press", he told Forum 18. "However, strangely enough, the court did not indicate the end date for my house arrest."

Investigators have also brought new charges against Dr Sultonov, in addition to the existing charges under Criminal Code Article 244-5, Part 2 ("Dissemination of knowingly false information about an infectious disease in the media or on the internet") and Article 155-2, Part 2 ("Recruitment of individuals for the purpose of undergoing training for carrying out terrorist activity or for the purpose of going abroad through the territory of Uzbekistan to participate in terrorist activity") (http://www.forum18.org/archive.php?article_id=2564).

Charges were added under Criminal Code Article 244-3 ("Illegal production, storage, import or distribution of religious literature") and Article 158, Part 3 ("Public insult or slander of the President").

The criminal charges are listed in the Prosecutor's Office motion from 27 June to the Court requesting his house arrest. The Prosecutor's Office's reason for asking for house arrest is the situation with the Covid-19 pandemic.

Investigator Saliyev's phone went unanswered each time Forum 18 called on 22 July. The man who answered Investigator Nemat's phone the same day said it was a wrong number. Ellikala District Police told Forum 18 the same day that the head of the Criminal Investigation Department, Umar Miriyev, was not in the office and that no one else could answer Forum 18's questions. (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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