

3 September 2020

UZBEKISTAN: Prisoner requests meeting with sister "maybe for last time"

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

After his July transfer to Navoi's strict regime prison, 45-year-old Muslim prisoner of conscience Khayrullo Tursunov called his sister again asking to see her "maybe for the last time". With officials denying prison visits, citing the coronavirus pandemic, relatives are concerned. Prison officials claim his "safety is guaranteed and he is engaged in useful labour". Former Tashkent imam Ruhiddin Fahrutdinov was amnestied after 15 years, but the state will take 20 per cent of his wages.

Relatives abroad of the 45-year-old Muslim prisoner of conscience Khayrullo Tursunov have expressed concern about his situation in Navoi's strict regime prison, to where he was transferred in July. Relatives in Uzbekistan have not been able to see him for months, with officials citing the coronavirus pandemic, and have no information as to why a court ordered his transfer from a special regime prison in Bukhara Region.

"A strict regime prison is supposed to be a more lenient regime compared to the special regime in which Khayrullo was held," relatives abroad explained to Forum 18. "But we don't know if his real situation in the prison will be more lenient" (see below).

Family members are concerned by Tursunov's telephone calls from prison that he would like to see his sister one last time (see below).

Navoi Prison wrote to Tursunov's sister in July soon after his arrival there claiming that his "safety is guaranteed and he is engaged in useful labour jointly with others". Officials at the Navoi Prison and at the Chief Directorate for the Enforcement of Punishments in Tashkent – which oversees prisons – refused to discuss Tursunov's case with Forum 18 (see below).

Tursunov has always declined to write a plea for a pardon to President Shavkat Mirziyoyev. "No one will release you," officials of Korovulbazar Labour Camp told Tursunov in April 2018 (http://www.forum18.org/archive.php?article_id=2477). Relatives still hope that he can be pardoned or amnestied. "We are sad the authorities are not willing to release him as they did with other prisoners of conscience."

Kazakhstan illegally extradited Tursunov to Uzbekistan in March 2013. 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 (see below).

Another Muslim prisoner of conscience also extradited from Kazakhstan, was freed under amnesty on 27 August after he wrote a petition to the President requesting pardon. Ruhiddin Fahrutdinov, a 53-year-old former Imam from Tashkent, was released two years and three months before the end of his 17-year jail term. However, under the terms of his release, he will be required to hand 20 per cent of his wages to the state (see below).

Criminal cases against Muslims who exercise their right to freedom of religion or belief continue. In mid-August a Tashkent court convicted eight Muslim men who discussed their faith over social media. Five of the men were jailed for up to 11 and a half years, while the other three were given restricted freedom sentences (http://www.forum18.org/archive.php?article_id=2599). As with two similar cases in 2020 (http://www.forum18.org/archive.php?article_id=2586), at least one of those sentenced appears to have acted as an agent provocateur.

Prisoner of conscience transferred to different prison

Muslim prisoner of conscience Khayrullo Turdiyevich Tursunov (born 4 April 1975) was transferred from a special regime prison in Korovulbazar to strict regime Prison No. 11 (64/46) in Navoi on 9 July, relatives from outside Uzbekistan told Forum 18 on 28 August. Navoi is 85 kms (50 miles) north-east of Korovulbazar and further from Tursunov's relatives in Karshi.

Tursunov made a phone call to his family from Korovulbazar prison in early July, days before his transfer, and told them about it.

"He told his sister Nigora that he would love to see her maybe for the last time," relatives told Forum 18. "Nigora did not understand whether Khayrullo was hinting at something about his health or his treatment in the prison, since he cannot speak openly in the presence of prison officers."

Fearing something was wrong with her brother, Nigora Tursunova wrote to the Interior Ministry's Chief Directorate for the Enforcement of Punishments in Tashkent, asking why her brother was being transferred to Navoi and about his safety. She also requested that Tursunov be moved to a prison near the family in Kashkadarya Region so family members would not have to travel long distances, relatives added.

"Despite Nigora's request to the Chief Directorate to transfer him to another prison in Kashkadarya Region, he was sent to another region further from them now," relatives of Tursunov abroad complained to Forum 18.

Tursunova received an official letter (seen by Forum 18) from Chief Directorate for the Enforcement of Punishments' department chief (it does not clarify which department) Otabek Satimbayev, signed by him on 24 July. It said that Korovulbazar District Criminal Court made a decision on 30 April on Tursunov's transfer "from the [current] special regime prison to a strict regime prison", citing Article 57 of the Code of Execution of Criminal Punishments.

Tursunov was moved to Navoi Prison No. 11 "in accordance with decision No. T-5121 of the Chief Directorate". The letter did not explain the reason for the transfer. The Article also does not specify all the possible reasons for a transfer.

Article 57 of the Code of Execution of Criminal Punishments states: "Those convicted with deprivation of liberty, as a rule, serve the whole term of their sentence in one institution. Transfer of the convict for further serving of a sentence from one institution to another is allowed for ensuring their safety with their consent, as well as under other circumstances that obstruct the convicted person from staying in that institution."

The Article adds: "In case of sickness of the convict, their transfer from the prison to a specialised medical institution is allowed on the basis of a medical report. The order of transfer of convicts from one prison to another is determined by the Interior Ministry."

"A strict regime prison is supposed to be a more lenient regime compared to the special regime in which Khayrullo was held," relatives abroad explained to Forum 18. "But we don't know if his real situation in the prison will be more lenient."

"We're all concerned about this situation"

Tursunov made another phone call to his sister Nigora in August from his new prison in Navoi "asking her again to try her best to be able to see him in prison so he could share his feelings with her one last time," relatives abroad told Forum 18. "We're all concerned about this situation."

Nigora Tursunova had received another letter signed on 22 July by Navoi prison's Unit Chief Major A. Zufarov, Unit Inspectors Lieutenant Zh. Niyozov and Sergeant R. Tursunov (not related to Tursunov) assuring her that his "safety is guaranteed and he is engaged in useful labour jointly with others".

Tursunov's relatives abroad told Forum 18 that "if it is true then we should not worry but we are not sure why Khayrullo seems to worry. Family members are not allowed to see him in prison under the excuse of the [coronavirus] pandemic. I am sure that through a glass or some other means they could be allowed to visit him and see him for themselves."

The duty officer at Navoi's Prison No. 11 refused to discuss Tursunov's situation with Forum 18 on 3 September.

Zafar Boboyorov, the duty officer at the Chief Directorate for the Enforcement of Punishments in Tashkent, refused to put Forum 18 through on 2 September to the Head, Colonel Bakhrambek Adilov. Boboyorov wrote down Forum 18's questions as to why Tursunov had been transferred to Navoi prison; why his relatives cannot see him even through a glass window or some other method in the prison; and when the authorities will allow relatives to visit him in prison. After talking to some officials while Forum 18 waited on the line, he came back and said that it should send questions in writing to the Foreign Ministry.

Tursunov's prison address:

Uzbekistan

Navoiy viloyati

210100 Sputnik Kurgoni

Ichki Ishlar Bulimi JIEB

11-sonli jozoni ijro etish koloniyasi

Khayrullo Turdiyevich Tursunov

Jailing followed illegal extradition

Kazakhstan illegally extradited Tursunov 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."

On 17 April 2019 officials from the southern Kashkadarya Region, where Tursunov comes from, questioned and tortured Tursunov in Korovulbazar Labour Camp where he was serving his sentence. The officials tortured him to extract statements from him against a distant relative, Bayramali Yusupov (http://www.forum18.org/archive.php?article_id=2477).

During a 2 May 2019 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 (http://www.forum18.org/archive.php?article_id=2477).

Freed after 15 years

One of the 113 prisoners who were freed or had their sentences reduced under a Presidential amnesty decree of 27 August was a former Imam from Tashkent, Ruhiddin Fazlitdinovich Fahrutdinov (born 8 August 1967). He was freed from Labour Camp No. 14 in Zangiota District of Tashkent Region on the morning of the same day, Radio Free Europe's Uzbek Service noted. State television filmed his release from the labour camp.

Fahrutdinov – who had served as an imam in Tashkent before fleeing the country - was arrested in the city of Shymkent in southern Kazakhstan and was one of nine people deported by Kazakhstan to Uzbekistan in November 2005. The Uzbek authorities accused all nine of having links with Obidhon qori Nazarov, the former imam of Tashkent's Tukhtaboi mosque who had fled to Sweden, who the Uzbek government claimed was a Wahhabi leader. Fahrutdinov counted himself as imam Nazarov's most influential pupil (http://www.forum18.org/Archive.php?article_id=758).

On 15 September 2006, Tashkent City Criminal Court sentenced Fahrutdinov to 17 years' imprisonment under a series of articles of the Criminal Code, including: Article 159 "Undermining the constitutional basis of the Republic of Uzbekistan", Article 216 "Illegally setting up public organisations or religious organisations", Article 244-1 "Preparing or distributing documents that pose a threat to public safety and public order", and Article 244-2 "Setting up, leading, or participating in religious extremist, separatist, fundamentalist or other banned organisations". Fahrutdinov denied the charges.

Fahrutdinov was freed two years and three months before the end of his jail term after he wrote a plea for pardon to the president.

Fahrutdinov was summoned on 28 August, the day after his release, to the office of the Hokim (head) of Tashkent's Olmazor District, Bakhtiyor Rakhmonov, and offered a job. Under the terms of his release, Fahrutdinov will be required to hand 20 percent of his wages to the state.

"I was offered a job at a factory assembling plastic window frames," Fahrutdinov told Eurasianet news website on 28 August. "But I am an Arabic language specialist, so I would like to work as a translator. So, I turned down the job at the factory." (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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