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UZBEKISTAN: Jailed for learning to pray and discussing Islam

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

Four Muslim men jailed for up to six years in a labour camp after meeting together to learn how to pray, to discuss Islamic topics such as prayer, fasting, peaceful jihad, good deeds and other matters, and to attend a mosque. This is the latest known case where Muslim men who met to pray and discuss their faith have been jailed with the use of a police agent provocateur.

In 2019 Miraziz Fozilov, Saidakhmadkhuja ogli Abrorkhujayev, Khasan Mansurov, Mukhammad ogli Azizov, and Dilshod Rajapov started meeting together to learn how to pray the namaz (Muslim daily prayers), and to discuss Islamic topics such as prayer, fasting, peaceful jihad, good deeds and other matters. They met for their discussions in cafés and teahouses, and two or three times a week attended the state-controlled Umar ibn Khattob Mosque in Tashkent's Olmazor District, local Muslims who wish to remain anonymous for fear of state reprisals told Forum 18 on 12 October 2021.

On 19 March prisoner of conscience Fozilov and prisoner of conscience Abrorkhujayev were jailed for six years in a labour camp, prisoner of conscience Mansurov was given a 5 years, 10 months, and 10 days prison term, Azizov was given a 4 years, 6 months, and 6 days suspended prison sentence with a two-year probation period. Rajapov was fined the equivalent of about one and a half months' average salary (see below).

This is the latest case where groups of Muslim men who met to pray and discuss their faith have been arrested and jailed with the use of a police agent provocateur (see below).

Judge Jamoliddin Nazhimov of Olmazor District Criminal Court, who handed down the sentences, refused to explain why he gave long prison sentences to Muslims for meeting to pray and discuss Islam together. He also refused to explain whether he thinks that obtaining, sharing, or discussing information relating to one's own faith is banned (see below).

In a separate case, prisoner of conscience Fazilkhoja Arifkhoyayev, who has been held in pre-trial detention after an initial 15-day term from 26 June, has had his pre-trial detention extended until 13 December. He was arrested after he questioned a regime-supporting imam. Officials have denied him access to his lawyer and have repeatedly tortured him (see below).

Meetings to learn how to pray, discuss Islam, attend mosque

In 2019, Miraziz Fozilov, Saidakhmadkhuja ogli Abrorkhujayev, Khasan Mansurov, Mukhammad ogli Azizov, and Dilshod Rajapov started meeting together to learn how to pray the namaz (Muslim daily prayers), and to discuss Islamic topics such as prayer, fasting, peaceful jihad, good deeds and other matters. They met for their discussions in cafés and teahouses, and two or three times a week attended the state-controlled Umar ibn Khattob Mosque (https://www.forum18.org/archive.php?article_id=2314) in Tashkent's Olmazor District, local Muslims who wish to remain anonymous for fear of state reprisals told Forum 18 on 12 October 2021.

Police agent provocateur?

Nodur Bekmukhkamedov – who is thought by some local Muslims to be a police informer – participated in and filmed some of the meetings. On 5 April 2020 he created a Telegram channel for the group to continue to discuss Islamic topics during the coronavirus lockdown.

Other similar cases

In three known similar cases, groups of Muslim men who met to pray and discuss their faith have been arrested and jailed with the use of a police agent provocateur (https://www.forum18.org/archive.php?article_id=2586).

On 13 March 2020, three of four Muslim men were jailed for between five and six years (https://www.forum18.org/archive.php?article_id=2575). The fourth was given a community work sentence and a fine of 10 per cent of his wages for one year. 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.

On 14 August, eight Muslims were punished for discussing their faith on social media, five being jailed for up to 11 and a half years (https://www.forum18.org/archive.php?article_id=2599), with three being given restricted freedom sentences. The men knew each other mainly on social media "where they were asking questions about Islam", the mother of one of those jailed said.

In January 2021 seven Muslim men who met in the capital Tashkent to discuss Islam were transferred to various prisons to begin jail terms of between 11 and four years (https://www.forum18.org/archive.php?article_id=2640). Tashkent City Criminal Court convicted the men - aged between 24 and 34 - on wide-ranging "terrorism" and "extremism"-related charges, which they denied. "It is no use for us to make another appeal as nothing will change," a relative told Forum 18.

Listening to and watching sermons

The five men with Bekmukhkamedov listened to and watched sermons and other religious messages from a number of exiled imams (who Forum 18 knows of), including two who live in Turkey and have become Turkish citizens. Local Muslims and a local human rights defender insisted to Forum 18 on 15 October that the imams and the group discussions had no sympathy with any violence and concentrated on peacefully living as a Muslim.

One of the imams who is a Turkish citizen, Zofir Gafforov (known as Abdullokh Zufar), has strongly criticised Uzbekistan's regime and President Shavkat Mirziyoyev and stated that Muslims have no freedom in the country. Gafforov was put on an Interior Ministry wanted list on 7 June 2021, after a Religious Affairs Committee "expert analysis" (https://www.forum18.org/archive.php?article_id=2314) claimed he was "sectarian" and aimed at the "forcible overthrow of the constitutional order."

Another Religious Affairs Committee "expert analysis" claimed that texts found on the five men's mobile phones and a computer were "extremist and sectarian," and against state-controlled expressions of the Hanafi school of Islamic thought (https://www.forum18.org/archive.php?article_id=2314).

Religious Affairs Committee officials, including its Chair Sodiq Toshboyev, did not answer their phones on 19 October. A male official who refused to give his name answered the phone of Chief Specialist Begzod Kodyrov and claimed that it is a "wrong number." He then put the phone down.

One of the five men, Mansurov, listened to messages from Sirojiddin Mukhtarov (known as Abu Salokh who has been involved in terrorist activities) to understand his claims. As Mansurov rejected Mukhtarov's claims and did not agree with him he deleted these videos from his device. However, police restored them from cache files.

Raids

On 17 September 2020, Yunusabad District Police, including police "Struggle with Extremism and Terrorism Department" officers, raided the homes of all five men. Later in the court decision (seen by Forum 18) police claimed to have found on mobile phones and a laptop material which was allegedly "similar to thoughts of terrorist movements." No detail or evidence was given for this claim.

A male Yunusabad Police Station duty officer officer (who refused to give his name) on 19 October refused to discuss the raids. Lieutenant Colonel Aziz Khalilov, head of Yunusabad Police "Struggle with Extremism and Terrorism Department", did not answer his phone that day.

Trial

On 19 March 2021 the four of the five men were tried in Tashkent's Olmazor District Criminal Court under Criminal Code Article 244-1, Part 3, Point d ("Production or storage with the purpose of distribution of materials that contain ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent expulsion of citizens, or aimed at creating a panic among the population, as well as production, storage with the purpose of distribution or demonstration of attributes or symbols of religious-extremist terrorist organisations", committed "with use of the media or telecommunication networks as well as the internet").

The prosecution was brought by Senior Deputy Olmazor Prosecutor Komilov, and all the men denied the charges. Komilov did not answer his phone on 19 October.

Film of the meetings that the suspected police agent provocateur Bekmukhamedov had taken, along with statements by him against the five men was used in court. He also in court testified against the men.

The fifth man, Rajapov, was charged under Criminal Code Article 248 Part 1 ("Illegal possession of firearms, ammunition, explosive

substances, or explosive assemblies"). He admitted to possessing a hunting rifle found by police, which he had inherited from his deceased father. It is unclear why Rajapov did not face the same charges as the other four men.

Rajapov told the court that he had attended drinking parties with Abrorkhujayev before he began praying the namaz and attending a mosque regularly. Rajapov worked at a publishing house, and claimed that Abrorkhujayev in mid-July 2020 asked him to print five books on Islamic prayer and theology. Rajapov claimed that Abrorkhujayev "changed strangely because he grew a large beard and became very loyal to religion," and claimed that on 16 September (one day before the raids) he had voluntarily reported this to the police.

Punishments

Judge Jamoliddin Nazhimov of Olmazor District Criminal Court on 19 March 2021 imposed the following sentences:

- Miraziz Avazovich Fozilov (born 12 September 1989), six years in a labour camp;
- Saidakhmadkhujja Askarkhujja ogli Abrorkhujayev (born 25 June 1990), six years in a labour camp;
- Khasan Askarovich Mansurov (born 13 May 1983), a 5 years, 10 months, and 10 days prison term, starting with being placed in the Interior Ministry's Tashkent Investigation Prison No. 1. Later, he was sent to Karshi's Prison No. 1;
- Mukhammad Miralam ogli Azizov (born 22 May 1998), a four years, six months, and six days suspended prison sentence with a two-year probation period. His probation will be overseen by Yunusabad District Police;
- Dilshod Sherzodovich Rajapov, was fined 2 million, 230,000 Sums (equivalent to about one and a half months' average salary).

Judge Nazhimov also ordered the destruction of the confiscated mobile phones and laptop, and the forfeiture of the seized hunting rifle.

On 19 October Judge Nazhimov refused to explain why he gave long prison sentences to Muslims for meeting to pray and discuss Islam together. He also refused to explain whether he thinks that obtaining, sharing, or discussing information relating to one's own faith is banned (https://www.forum18.org/archive.php?article_id=2673). The regime in July brought into force a new Religion Law which among other things bans sharing beliefs with others (https://www.forum18.org/archive.php?article_id=2670).

Nazhimov asked Forum 18 to call back, and when called back his assistant (who refused to give his name) claimed – using the same excuse as the Religious Affairs Committee - that it was a "wrong number" and then put the phone down.

Forum 18 overheard the assistant being instructed to give the "wrong number" excuse. As standardised excuses have recently started being used by officials (https://www.forum18.org/archive.php?article_id=2688), it is unclear if this represents a policy reflecting another instance of the regime's hostility to freedom of information (https://www.forum18.org/archive.php?article_id=2673).

Questioned about Khojabekov case

A Tashkent court on 1 July handed 47-year-old Odilbek Khojabekov a five year labour camp sentence (https://www.forum18.org/archive.php?article_id=2688) to punish him for returning from haj pilgrimage with Islamic literature. A first trial gave him a suspended sentence which was later removed for good probation behaviour.

The State Security Service (SSS) secret police then pressured ordinary police, prosecutors, and others into giving what the family insists is false testimony at a second hearing which ordered him jailed. He is in hiding fearing for his safety

Fozilov, Abrorkhujayev, Mansurov, and Azizov were all in July questioned about Khojabekov's case.

Pre-trial detention of prisoner of conscience extended

Prisoner of conscience Fazilkhoja Arifkhoyayev has been held in pre-trial detention after an initial 15-day term from 26 June after he questioned a regime-supporting imam (https://www.forum18.org/archive.php?article_id=2673). Officials have denied him access to his lawyer and have repeatedly tortured him (https://www.forum18.org/archive.php?article_id=2688).

On 11 October Judge Rustamjon Rakhmanov of Tashkent's Mirobod District Criminal Court extended prisoner of conscience Arifkhoyayev's detention until 13 December. The Judge claimed this was "because suspects who may have been involved in the crime are searched for and further investigation of the case is needed."

Defence lawyer Sergey Mayorov told Forum 18 on 15 October that he thinks that the regime extended the detention "to pressure him to sign statements written by police incriminating him and to extort statements against exiled Uzbek Imams."

Judge Rakhmanov's assistant (who refused to give his name) on 19 October refused to discuss the case, or explain why - against Uzbekistan's legally-binding international human rights obligations under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (https://www.forum18.org/archive.php?article_id=2314) - no official suspected of involvement in this torture has been arrested and put on criminal trial for torture.

The regime routinely ignores this obligation (https://www.forum18.org/archive.php?article_id=2635).

Prisoner of conscience Arifkhojayev is being held in Tashkent's Investigation Prison No. 1. His address is:

Ichki Ishlar Vazirligi 1-sonli Tergov Xibisxonasi

Bogzor kochasi

Zangiota tumani

Tashkent viloyati

Uzbekistan

(END)

Full reports on freedom of thought, conscience and belief in Uzbekistan (<https://www.forum18.org/archive.php?query=&religion=all&country=33>).

For more background, see Forum 18's Uzbekistan religious freedom survey (https://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 (https://www.forum18.org/archive.php?article_id=1351).

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