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UZBEKISTAN: More Muslims targeted for criticising regime hostility to Islam

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

Police raided the home of Tashkent Muslim Laziz Asadov, seizing two Korans and other property after he continued to criticise the regime's religious policies. The search warrant claimed he is implicated in a criminal case against a man he does not know, and Asadov has fled abroad. The criminal trial of Muslim prisoner of conscience Fazilkhoja Arifkhojayev may begin in Tashkent on 10 January. He has been tortured and his health has declined in jail. When asked what steps the regime is taking to implement the medical treatment required by the UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules), an Interior Ministry official responsible for medical care in prisons told Forum 18 that "I have never heard of the Rules."

Tashkent Muslim Laziz Asadov fled abroad as police and the State Security Service (SSS) secret police appear to be preparing a criminal case against him. Police raided his home, seized two Korans, an Arabic grammar book and other items. The search warrant claimed that Asadov is implicated in a criminal case against a man he does not know. It claims they watched online speeches which strongly criticised Uzbekistan's regime and President Shavkat Mirziyoyev and stated that Muslims have no freedom in the country.

Police would tell Forum 18 only that Asadov is a suspect in the criminal case (see below).

Asadov told Forum 18 that he has been under surveillance since Tashkent Police "Struggle with Extremism and Terrorism Department" detained him in September 2019. This was for criticising the regime's actions against hijab wearers, including as it affected his secondary school age daughter (see below).

Tashkent Police and the SSS secret police questioned Asadov four times since September 2019, most recently in November 2021, he told Forum 18. Each time officers warned him not to criticise the regime's religious policies on social media. One interrogation by the SSS in its Tashkent headquarters on 10 July 2020 lasted nine hours (see below).

Meanwhile, the criminal trial of Muslim prisoner of conscience Fazilkhoja Arifkhojayev is expected to begin soon after New Year at Tashkent City Criminal Court, possibly on 10 January 2022. Held since late June, he is facing trial on charges of "Production, storage, distribution or display of materials containing a threat to public security and public order" (see below).

Arifkhojayev, a Muslim known for his criticisms on social media of the regime's religious policies, attended a Tashkent Mosque to hear visiting preacher Abror Abduazimov preach and lead a discussion on Islamic topics. Arifkhojayev asked Abduazimov why he insulted Arifkhojayev and other Muslims on social media, and called Abduazimov a "hypocrite" (see below).

Arifkhojayev "will probably be given a prison term for crimes he did not commit," his brother Jamol told Forum 18 (see below).

In November, Tashkent Police officers tortured prisoner of conscience Arifkhojayev. They threatened him with extremely insulting statements, and threatened that police would carry out an extreme physical assault on his wife in his presence. Police refused to discuss with Forum 18 the latest torture, or whether the suspect torturers are being brought to justice in line with Uzbekistan's international human rights obligations (see below).

In November, prison officials put prisoner of conscience Arifkhojayev for one week into the medical unit of Tashkent's Investigation Prison No. 1. Since then his health has continued to worsen, causing his family serious concern. Asked what steps the Interior Ministry's Chief Directorate for the Enforcement of Punishments (which is responsible for prisons) is taking to implement the UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules), Yusup Bahodiy, Deputy Head of its Medical Division, told Forum 18 that told Forum 18 that "I have never heard of the Rules" (see below).

Tashkent Police opened a case against Ulugbek Azamatov on the day officers searched his home. He has regularly published on Facebook quotes from the Koran and statements about the values and virtues of Islam. "Azamatov was asked during questioning about Arifkhojayev and other unidentified Muslim men under investigation," a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18. Police refused to discuss the case (see below).

Raid, confiscations, criminal case?

On 11 November Tashkent's Chilonzor District Police Criminal Investigation Department (CID) raided the home of local Muslim Laziz Asadov. The CID confiscated two Korans which had not passed censorship by the state's Religious Affairs Committee, and other property including a widely-used Arabic grammar book, computers, and his wife's notebook from when she was a student at Tashkent's Islamic University.

Major Bakhridin Saibnazarov of Syrdarya Regional Police CID and Syrdarya Region's Deputy Prosecutor Chingiz Yesergapov signed the search warrant on 4 November. The warrant (seen by Forum 18) claims that Asadov is implicated in a criminal case against a "B.O. Tuychiboyev and others" who Asadov does not know.

The search warrant states that case was launched under Criminal Code Article 244-1, Part 3 (d) (https://www.forum18.org/archive.php?article_id=2699) ("Production, storage, distribution or display of materials containing a threat to public security and public order" "using the mass media or telecommunication networks, as well as the world wide web").

The search warrant claims that "B.O. Tuychiboyev and others" watched speeches by Zofir Gafforov (known as Abdullokh Zufar), who has strongly criticised Uzbekistan's regime and President Shavkat Mirziyoyev and stated that Muslims have no freedom in the country. Gafforov – a Turkish citizen – was put on an Interior Ministry wanted list on 7 June 2021 (https://www.forum18.org/archive.php?article_id=2692), after a Religious Affairs Committee "expert analysis".

This claim, with charges under Criminal Code Article 244-1, Part 3 (d), were used in March 2021 to jail a group of Muslim men for up to six years in a labour camp (https://www.forum18.org/archive.php?article_id=2692) after meeting together to learn how to pray and to discuss Islamic topics.

Major Saibnazarov of Syrdarya CID on 9 December told Forum 18 that "Tuychiboyev is under arrest but Asadov is only a suspect in the case". He then refused to answer any more questions.

Asadov told Forum 18 that he was aware of being put under close surveillance after Tashkent Police "Struggle with Extremism and Terrorism Department" detained him on 6 September 2019. This was for criticising the regime's actions against hijab wearers, including as it affected his secondary school age daughter. "I was forcibly taken to a police station for questioning by four plain-clothes police officers in dark glasses who did not identify themselves." Police officers twisted his arms and at the police station forcibly shaved off his beard.

Lieutenant Colonel Bobur (who refused to give his last name) of Tashkent's police "Struggle with Extremism and Terrorism Department" refused to discuss the case with Forum 18 on 9 December.

Tashkent Police and the State Security Service (SSS) secret police questioned Asadov four times since September 2019, most recently in November 2021, he told Forum 18. Each time officers warned him not to criticise the regime's religious policies on social media. One interrogation by the SSS in its Tashkent headquarters on 10 July 2020 lasted nine hours.

An SSS secret police officer (who refused to give his name) refused to answer Forum 18's questions about why fellow officers had questioned Asadov. "I don't understand how an organisation outside Uzbekistan gets involved in a case which is an internal issue," the officer told Forum 18 on 3 December. "We cannot give information over the phone."

Asadov is accused in the search warrant of sharing unspecified religious materials on social media. "I would have to be so stupid to endanger my parents, my family, and myself by breaking the law at a time when I have been under constant pressure from the Interior Ministry," Asadov commented. He stated that the police questioning of him from 2019 "made me feel like I walk on thorns".

Interior Ministry officials (who refused to give their names) referred Forum 18 to the Ministry's "Struggle with Extremism and Terrorism Department". "No one is available to talk," Alisher of this Department, who refused to give his last name, claimed on 9 December. "Everyone has gone to the gym for sports." When asked when Forum 18 could call back, he replied, "I do not know" and refused to speak more.

"I decided to leave Uzbekistan"

Asadov was absent during the raid, and has fled Uzbekistan fearing a possible criminal case against him and imprisonment. He told Forum 18 from outside Uzbekistan on 9 December that the regime has not appointed a date for any hearing yet. "The case is still under investigation."

Lieutenant Colonel Kamoliddin Khasanov of Chilonzor District CID refused on 9 December to discuss with Forum 18 the raid carried out by his officers.

"After the search in my absence and confiscations, I was afraid that the authorities are planning my arrest," Asadov told Forum 18. "I cannot guarantee that they will not download some banned religious materials to my hard disc as 'evidence'. That is why I decided to leave Uzbekistan for the time being."

In December 2018, a 33-year-old Tashkent Imam, Fazliddin Parpiyev, had to flee Uzbekistan (https://www.forum18.org/archive.php?article_id=2451) two months after he appealed to President Shavkat Mirziyoyev over violations of freedom of religion or belief for the country's Muslims. Religious Affairs Committee, the SSS secret police, ordinary police, Prosecutor's Office, and Muftiate officials immediately pressured and threatened him and his father after he issued his video appeal. "I had to leave the country because I was afraid for my safety", Imam Parpiyev told Forum 18.

Similarly, 47-year-old Odilbek Khojabekov is in hiding fearing for his own safety (https://www.forum18.org/archive.php?article_id=2688) after in July 2021 he was sentenced in his absence to a five year labour camp sentence. This was 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 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. It is thought that the regime decided to jail Khojabekov because he criticised state-controlled imams.

Human rights defenders who know of the Asadov case, and asked to remain anonymous for fear of state reprisals, suspect that the regime decided to target Asadov because he has continued to complain about the regime's hostility to women wearing the hijab and men wearing beards (https://www.forum18.org/archive.php?article_id=2699).

Human rights defenders have also told Forum 18 that Asadov has also been targeted because he criticised state-appointed imam Abror Abduazimov, as did prisoner of conscience Fazilkhoja Arifkhojayev (see below).

Tashkent Police also told a family member to shave off his beard. "I wore a short beard knowing the authorities' dislike of long ones," he told Forum 18, "but still I was told by police officers to shave it off in order not to get in trouble." The officers did not specify what the trouble could be.

Asadov told Forum 18 that he has heard that prisoner of conscience Arifkhojayev was questioned about him and other Muslim men, including Ulugbek Azamatov (see below).

Prisoner of conscience Fazilkhoja Arifkhojayev set for trial in January 2022

On 13 December 2021, prosecutors sent the case of prisoner of conscience Fazilkhoja Arifkhojayev to Tashkent City Criminal Court for criminal trial, possibly on 10 January 2022. Arifkhojayev will remain in pre-trial detention until after the Court hears the case, his lawyer Sergey Mayorov told Forum 18 on 13 December 2021.

Prisoner of conscience Arifkhojayev is facing trial under Criminal Code Article 244-1, Part 3 (d) (https://www.forum18.org/archive.php?article_id=2699) ("Production, storage, distribution or display of materials containing a threat to public security and public order" "using the mass media or telecommunication networks, as well as the world wide web"). Arifkhojayev's brother Jamol told Forum 18 that his brother "will probably be given a prison term for crimes he did not commit".

On 14 July a court ordered prisoner of conscience Arifkhojayev to be held in three-month pre-trial detention (https://www.forum18.org/archive.php?article_id=2673) and investigated under this charge. The judge refused to explain to Forum 18 why he did this.

Such charges were in March 2021 used to jail a group of Muslim men for up to six years in a labour camp (https://www.forum18.org/archive.php?article_id=2692) after meeting together to learn how to pray and to discuss Islamic topics.

On 26 June Arifkhojayev, a Muslim known for his criticisms on social media of the regime's religious policies, attended Tukhtaboy Mosque in Tashkent's Olmazor District to hear visiting preacher Abror Abduazimov preach and lead a discussion on Islamic topics. Arifkhojayev asked Abduazimov why he insulted Arifkhojayev and other Muslims on social media, and called Abduazimov a "hypocrite".

On 28 June, after complaints from informers working with Olmazor Police, police arrested Arifkhojayev, opened a case against him (https://www.forum18.org/archive.php?article_id=2673) under Administrative Code Article 183 ("Petty hooliganism"), and searched his phone. A Religious Affairs Committee "expert analysis" found what it claimed to be "religious fundamentalism" on the phone (https://www.forum18.org/archive.php?article_id=2699).

Also on 28 June, Judge Begzod Umirov of Tashkent's Olmazor District Criminal Court sentenced Arifkhojayev to a 15-day jail term for alleged "petty hooliganism". Other local Muslims have in 2021 been given 15-day short-term jail sentences for asking whether state-appointed imams properly observe and teach Islam (https://www.forum18.org/archive.php?article_id=2673).

As prisoner of conscience Arifkhoyayev began his sentence his beard was shaved off, and he was tortured by being given poor food, being kept in solitary confinement, and being denied a shower and fresh clothing (https://www.forum18.org/archive.php?article_id=2673). Officers Abdurakhmon, Botyr and Saidislom (who refused to give their last names) from Tashkent Police "Struggle with Extremism and Terrorism Department" came to Arifkhoyayev's cell "regularly to insult and threaten him with physical torture when he asked to see his lawyer," his lawyer Mayorov stated. The duty officer in Panelni Police Detention Centre (who refused to give his name) denied that Arifkhoyayev was tortured. "Nothing like that happened," he claimed to Forum 18.

Officers also denied prisoner of conscience Arifkhoyayev access to his lawyer, and questioned him with a state-appointed lawyer he did not want (https://www.forum18.org/archive.php?article_id=2673) as a new criminal charge was opened against him. His lawyer Mayorov thinks that the officers from Tashkent Police "Struggle with Extremism and Terrorism Department" visited and threatened Arifkhoyayev with torture during the 15-day sentence "to psychologically break Arifkhoyayev to 'prepare' him for the criminal investigation" (https://www.forum18.org/archive.php?article_id=2673).

Prisoner of conscience Arifkhoyayev was also tortured again by being threatened by Otabek Jamolov, head of Tashkent's police "Struggle with Extremism and Terrorism Department", that he will 'never see daylight or his family again' (https://www.forum18.org/archive.php?article_id=2688). Lawyer Mayorov thinks this was done to scare him into signing statements prepared by the police.

Prisoner of conscience tortured again

In November Tashkent Police officers tortured prisoner of conscience Arifkhoyayev, family members told Forum 18. They threatened him with extremely insulting statements, and threatened that police would carry out an extreme physical assault on his wife in his presence.

Tashkent Police officers (who refused to give their names) on 9 December refused to discuss the latest torture, or whether the suspect torturers are being brought to justice in line with Uzbekistan's international human rights obligations.

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=2699), 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).

No proper medical treatment for prisoner of conscience Arifkhoyayev

Prison officials put prisoner of conscience Arifkhoyayev in the medical unit of Tashkent's Investigation Prison No. 1 between 6 and 13 November, family members told Forum 18 on 13 December. This was because he had developed haemorrhoids causing him severe problems, and has herniated discs on his back in two places.

Since being in the medical unit, these medical problems have become worse "and he can barely stand up normally at times".

Rule 27 of the UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules – A/C.3/70/L.3 (https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf)) states: "All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialised treatment or surgery shall be transferred to specialised institutions or to civil hospitals."

"I have never heard of the [Mandela] Rules"

Yusup Bahodiy, Deputy Head of the Medical Division of the Interior Ministry's Chief Directorate for the Enforcement of Punishments, claimed to Forum 18 on 14 December that Arifkhoyayev is "not seriously ill, otherwise we would have given him all the necessary treatment".

Denials of medical care are common in the regime's prisons (https://www.forum18.org/archive.php?article_id=2635).

Deputy Head of the Medical Division Bahodiy denied that the worsening of Arifkhoyayev's medical problems indicates that he should be sent to an appropriate hospital for examination and possible surgery. Bahodiy claimed that "most people today have some kind of hernia on their spine and they are not having surgery". He added that Arifkhoyayev "is not carrying heavy stuff in the prison, and so he will be fine".

Bahodiy told Forum 18 that he had never heard of the UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules) when asked what steps the Interior Ministry's Chief Directorate for the Enforcement of Punishments (which is responsible for prisons) is taking to implement the Rules. "I have never heard of the Rules. Please e-mail them to us," he replied.

Prisoner of conscience Arifkhoyayev 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

Another Muslim targeted

Tashkent's Chilonzor District Police opened a case against Ulugbek Azamatov. Police also searched his flat the same day. "We do not know what charges the authorities are preparing against him, but he was detained and kept in police custody on 9 and 10 November," a local human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 on 9 December. Officers confiscated his passport and mobile phone before they released him.

Azamatov has regularly published on Facebook quotes from the Koran and statements about the values and virtues of Islam. At times he made personal statements such as "No one in Uzbekistan is greater than Allah or his messenger Muhammad for Uzbek Muslims."

"Azamatov was asked during questioning about Arifkhoyayev and other unidentified Muslim men under investigation," a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 on 23 November.

Azamatov stated on 16 November that he is well at the moment, and waiting for the results of a Religious Affairs Committee "expert analysis" (https://www.forum18.org/archive.php?article_id=2699) of his confiscated phone.

Chilonzor District Police and Lieutenant Colonel Kamoliddin Khasanov of Chilonzor District CID refused to speak to Forum 18 about Azamatov's case on 14 December. (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=2699).

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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