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Deaths in Custody in Uzbekistan
Human Rights Watch Briefing Paper
April 4, 2003

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Summary

Numerous detainees and prisoners have died in custody as a direct result of torture and ill-treatment by police and security agents in Uzbekistan in recent years.¹ Uzbek authorities rarely hold torturers accountable, even when their actions result in deaths. Concerned by regular reports of torture received by his office, the U.N. Special Rapporteur on torture in June 2000 requested an invitation to conduct a mission to Uzbekistan. As the international community began to take note of Uzbekistan's long record of impunity for torture, it began to urge Uzbek authorities for thorough investigations when torture-related deaths in custody occurred.²

In 2002, security officers in two cases were convicted; this raised hopes that the government was beginning to seriously address the problem of torture. On January 30, 2002, the Akmal Ikramov District Court sentenced four policemen to twenty years of imprisonment for the death of Ravshan Haitov.³ On June 6, 2002, the Tashkent Military Court sentenced three National Security Service employees to prison terms ranging from five to fifteen years respectively for the death of Alimukhammad Mamadaliev. Notwithstanding flaws in the investigation,⁴ some observers saw these convictions, together with the Uzbek government's decision in June 2002 to issue an invitation to the Special Rapporteur on torture, as a significant step toward reforms aimed at ending torture and impunity for it.⁵

¹ Human Rights Watch documented fifteen torture-related deaths in custody that occurred between May 1998 and October 2000. See “‘And It Was Hell All Over Again...’: Torture in Uzbekistan,” *A Human Rights Watch Report*, Vol. 12, no. 12(D), December 2000. For other documentation on torture in Uzbekistan, see United Nations Commission on Human Rights, Report of the Special Rapporteur on the question of torture, E/CN.4/2003/68/Add.2, February 3, 2003; United Nations Committee against Torture, Conclusions and Recommendations of the Committee against Torture: Uzbekistan, CAT/C/CR/28/7, June 6, 2002; United Nations Committee against Torture, Conclusions and Recommendations of the Committee against Torture: Uzbekistan. A/55/44, paras.76-81, November 19, 1999; and United States Department of State, *2001 Country Reports on Human Rights Practices*, released by the Bureau of Democracy, Human Rights, and Labor, March 4, 2002, available at <http://www.state.gov/g/drl/rls/hrrpt/2001/eur/8366.htm>

² On July 7, 2001 the corpse of Shovrik Ruzimuradov, an activist from the Human Rights Society of Uzbekistan, was returned to his family. He died while in police custody under highly suspicious circumstances, having been held incommunicado in an undisclosed location for twenty-one days after his arrest. See “Uzbek Activist Dies in Custody,” Human Rights Watch press release, July 10, 2001. After demarches from the international community demanding a full and impartial investigation, the authorities responded with a preliminary report stating that he had committed suicide and that they had disciplined the officers on duty.

³ For further information on the Haitov case, see, “Uzbekistan: Torture Victim Dies in Custody,” Human Rights Watch press release, October 20, 2001, available at: <http://www.hrw.org/press/2001/10/uzbek1020.htm>. See also “Uzbek Court Convicts Police for Beating Death,” Human Rights Watch press release, February 1, 2002, available at: <http://hrw.org/press/2002/02/uzbek0201.htm>.

⁴ There was no investigation of the deaths as required by international standards; the relatives were threatened and intimidated until the completion of the trials; and they received no compensation. Human Rights Watch interview, name withheld, March 8, 2002. Human Rights Watch interview, name withheld, May 9, 2002. *The Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions*, Annex to the Economic and Social Council resolution 1989/65, provides that there be a thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary, and summary executions, resulting in a report that shall be made public immediately and shall include the scope of the inquiry, procedures and methods used to evaluate evidence as well as conclusions and recommendations based on findings of fact and on applicable law (articles 9 and 17). They also provide that families be protected from violence, threats of violence or any other form of intimidation (article 15) and that families be entitled to fair and adequate compensation within a reasonable period of time (article 20).

⁵ The invitation to the Special Rapporteur was a contributing factor in allowing the U.S. to release U.S. \$45 million in assistance to Uzbekistan, which had been conditioned on Uzbekistan showing “substantial and continuing

However, since the death of Mamadaliev in November 2001, Human Rights Watch has received credible information about eight suspicious deaths in custody apparently resulting from torture. In the same period, we also documented thirteen cases in which authorities beat ill prisoners, held them in extraordinarily harsh conditions, or denied them food parcels and medical treatment, ill-treatment that contributed to their deaths. In all twenty-one cases, the Uzbek authorities either refused to investigate the death or provided improbable conclusions after inadequate investigations. They failed to bring the perpetrators to justice or compensate the families. The failure of authorities to hold torturers accountable virtually guarantees that torture-related deaths in custody are bound to continue.

This briefing paper documents some of these deaths and the authorities' wholly inadequate response to them. The Uzbek government acknowledged "serious violations" in custody, but denies that it is "systemic." It has pledged to consider an action plan to implement the recommendations of the Special Rapporteur on torture, detailed in his February 2003 report following his visit to Uzbekistan. Human Rights Watch urges the Uzbek government to hold to this commitment.⁶ We further call on the international community to make rigorous implementation of these recommendations a key element in relations with the Uzbek government. Serious steps must be taken by the Uzbek government to prevent torture, including through effective legislative, administrative, judicial, and other measures.

Particular emphasis should be placed on the following:

- Introduction into Uzbek law of judicial review of the grounds for detention (habeas corpus);
- holding accountable those responsible for torture or ill-treatment of detainees with particular attention to those cases which resulted in death, following thorough and impartial investigations that conform to the standards set forth in the U.N. Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions;
- compensation for families and dependents of victims whose deaths resulted from torture or ill-treatment;
- compensation for victims who were tortured or ill-treated;

progress" in the sphere of human rights and democracy, as required under legislation enacted by the U.S. Congress in July 2002. See "Uzbekistan: U.S. Rubber Stamps Human Rights," Human Rights Watch press release, September 10, 2002, available at: <http://hrw.org/press/2002/09/uzbek0909.htm>

⁶ "Statement on the Draft Report by the UN Special Rapporteur on Torture Mr Theo van Boven," given by Abdulaziz Komilov, special advisor to Uzbek President Islam Karimov, March 19, 2003. The statement claims that "Uzbekistan was the first state on [sic] the post-Soviet area to invite the UN Special Rapporteur on torture." This is false. Russia, Azerbaijan, and Georgia had invited the Special Rapporteur in prior years. The statement also says that the "special rapporteur was shown all possible assistance towards successful execution of his mission." The Special Rapporteur in fact openly discussed the Uzbek government's failure to cooperate on key issues during the mission. In his report, the Special Rapporteur expressed "regret that the mission's terms of reference were not fully respected. The failure to grant him access to the SNB lock-up in Tashkent and the unsatisfactory visit to Jaslyk colony remain a matter of serious concern." See United Nations Commission on Human Rights, Report of the Special Rapporteur on the question of torture, available at: <http://193.194.138.190/pdf/chr59/68add2AV.pdf>.

- adoption of measures to ensure in practice absolute respect for the principle of inadmissibility of evidence obtained by torture;
- declaration under article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to allow the United Nations Committee against Torture to receive individual complaints concerning violations of the Convention;
- establishment of an independent commission of inquiry to investigate deaths in custody in cases when there is doubt about the impartiality of an investigation undertaken by regular law enforcement agencies. Such a commission would undertake thorough and impartial investigations in compliance with international standards. To ensure its impartiality, the commission should involve international participants;
- access for independent nongovernmental organizations and other institutions, national and international, to visit places of detention.

Background

Law enforcement agents in Uzbekistan torture detainees to obtain confessions or incriminating evidence against others, and as a form of punishment. Of the eight cases of death in custody from apparent torture documented by Human Rights Watch since November 2001, five of the victims were in custody for practicing Islam outside of government controls.⁷ All thirteen deaths in custody from apparent ill-treatment for the same period were of religious prisoners. These deaths are a testament to the harshness of the government's campaign against independent Muslims. Like other criminal suspects and convicts, many independent Muslims are tortured to coerce confessions or testimony. Unlike other prisoners, they face torture and ill-treatment, sometimes to the point of death, as a form of punishment for their religious beliefs and affiliations, and as a way of compelling them to renounce their beliefs, sign statements of contrition, and cease to practice their religion, including praying.

In most of the cases documented by Human Rights Watch, the authorities compounded the pain and grief of relatives of those who died as a result of torture by failing to undertake a serious investigation into the deaths and by attempting to silence them through threats and intimidation. Police and National Security Service officers have taken additional measures to obstruct forensic

⁷ There has been an on-going crackdown in Uzbekistan against Muslims who practice their faith outside of government controls that began in 1997 and intensified in February 1999 after several bombs exploded near government buildings in Tashkent, killing sixteen people and injuring about 120. The government campaign is waged through religious discrimination, arrest, torture, and long prison sentences. The usual accusation against independent Muslims is that they are "Wahabbists," a pejorative term used to mean "extremist" or "fundamentalist" or members of Hizb ut-Tahrir, an organization that promotes the establishment of the Caliphate, or Islamic state, in traditionally Muslim lands through peaceful means. The overwhelming majority of those in prison are not charged with violent crimes. Local human rights groups estimate that there are at present about 6,500 religious prisoners in Uzbekistan. See Human Rights Watch, "Memorandum to the U.S. Government Regarding Religious Persecution In Uzbekistan," August 10, 2001, available at: <http://www.hrw.org/backgrounder/eca/uzbek-aug/uzbek-bck-full.htm> and Human Rights Watch Briefing Paper, "Religious Persecution of Independent Muslims In Uzbekistan From September 2001 to July 2002," August 21, 2002, available at: <http://hrw.org/backgrounder/eca/uzbek-aug/uzbek-brief0820.pdf>

examinations or independent confirmation of the cause of death. They have dictated when burials will take place, and forced families to bury their dead quickly, often refusing to release the body prior to the burial and restricting access to view the body. Prosecutors threaten to imprison or torture family members if the family talks to others about the circumstances surrounding the death. Families often feel too intimidated by the authorities' behavior to take further action to clarify the cause of death or seek compensation.⁸ In some cases, the authorities persistently harass families, even after the burial, demanding a public apology from them for the actions of the torture victim.⁹

Investigations that are undertaken do not conform to international standards. The investigating agencies are not impartial.¹⁰ The prosecutor's office is often in charge of the investigation, despite the fact that it works closely with the police and others who are under investigation for the death. The findings of investigations are not made public, and the family is not given a chance to participate in the investigation process.¹¹ The authorities do not compensate families for the deaths.¹²

Deaths from Torture

The following section outlines six of the eight cases of death apparently from torture that Human Rights Watch has documented since November 2001. The families of the two other men did not want the details of their sons' deaths made public, fearing further persecution by the authorities.¹³

Musurmon Kulmuratov

On November 10, 2002, police at the "Darband" checkpoint in Surkhandaria in southern Uzbekistan stopped Musurmon Kulmuratov, his mother Jangil Khudaikulova, wife, and two daughters in their car. Police then escorted them to the Sherobod district office of the National Security Service (NSS) and two masked men took Kulmuratov into the building. When NSS officers brought Khudaikulova into a room, she saw her son sitting on a table with his hands and legs tied. NSS officers were accusing him of trafficking in heroin. They began to beat him, and ordered him to sign a confession. When Khudaikulova protested, NSS officers threatened to beat her. The NSS officers then began drinking vodka and beating Kulmuratov on the head with a metal pipe, puncturing his skin with a screw driver and pliers, and hitting his fingers on a table

⁸ Human Rights Watch interview with family members of a man who died in custody, Tashkent, February 26, 2003. Human Rights Watch interview with family members of "B.B." (not the person's true initials), who died in custody, Margilan, March 5, 2003.

⁹ Human Rights Watch interview with family members of "B.B.," Margilan, March 5, 2003.

¹⁰ Article 9 of The Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions state that investigations should be thorough, prompt, and impartial.

¹¹ Article 17 of The Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions state that the report from the investigation shall be made public. Article 16 states that families of the deceased shall be informed of, and have access to, any hearing as well as to all information relevant to the investigation, and shall be entitled to present evidence.

¹² Article 20 of The Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions state that families are entitled to fair and adequate compensation within a reasonable period of time.

¹³ Human Rights Watch interview with human rights activist (name withheld), Margilan, March 5, 2003. Human Rights Watch telephone interview with human rights activist (name withheld), Bukhara, March 9, 2003.

with a hammer. When he lost consciousness, the officers took Khudaikulova out of the room.¹⁴ Kulmuratov's wife, Aishakhar Buranova, and her daughters, aged fourteen and twelve, could hear his screams from outside the building where they were waiting.¹⁵

On November 12 the family was informed that Kulmuratov had died. Kulmuratov's father and brothers brought the body home on November 13. NSS officers threatened the family not to make complaints or they would spend the rest of their lives in prison.¹⁶

NSS officers told relatives that Kulmuratov died from a packet of heroin bursting in his stomach. A forensic expert, however, told the family that three packets of heroin had been placed in Kulmuratov's mouth after his death and then forced—under high water pressure—into his throat, where they lodged.¹⁷

The family sought without success to approach the procurator's office, the presidential administration, and other Uzbek authorities to complain about Kulmuratov's death. Eventually the family received a letter from the Termez military procurator, confirming bodily injuries to Kulmuratov, including three broken ribs, but stating that "we have come to the conclusion that injuries detected on citizen Mursurmon Kulmuratov's body have been caused while rendering him medical first aid... proceedings will not be initiated... because there was no crime in the actions of the Surkhandaria province NSS officers..."¹⁸

This statement contrasts starkly with an independent medical report commissioned by the British Embassy in Tashkent, based on photographic evidence of the body before burial, which concluded "[t]he pattern of injuries is typical of systematic and violent beating over a period of time, possibly over a few days. Most of the bruises however appear fresh and I cannot exclude most of the injuries being caused within a few hours of each other."¹⁹

Izzatullo Muminov

Izzatullo Muminov, a taxi driver, did not return home from work on the evening of October 7, 2002. According to his family, when he still had not appeared the next day they became worried and looked for him everywhere. At approximately 1:30 a.m. on October 9, Muminov phoned home and said that he was at the Sobir Rakhimov police station, and told them not to worry, that he would be home soon. Later that morning, the police confirmed that they were holding Muminov on suspicion of committing a crime, but would not allow the family to see him. That

¹⁴ Written statement from Jangil Khudaikulova, received by Human Rights Watch on December 12, 2002.

¹⁵ Human Rights Watch interview with an informed source (name withheld), December 23, 2002. Khadykulova, Buranova, and the two girls were taken to hospital, where the two adult women were X-rayed to determine whether they were hiding narcotics in their bodies. All four were kept under guard and released the next day.

¹⁶ Human Rights Watch interview with an informed source (name withheld), December 23, 2002. Written statement from Jangil Khudaykulova, received by Human Rights Watch on December 12, 2002.

¹⁷ Written statement from Jangil Khudaikulova, received by Human Rights Watch on December 12, 2002.

Human Rights Watch interview with father and neighbor, December 12, 2002.

¹⁸ Letter from the Termez military prosecutor to Jangil Khudaikulova, dated November 25, 2002, on file with Human Rights Watch. Human Rights Watch translation.

¹⁹ "Medical Report re: alleged torture victim from Uzbekistan," by Peter Vanezis OBE, MB, ChB, PhD, FRCPPath, FRCP, DMJ, Regius Professor of Forensic Medicine and Science, University of Glasgow, January 8, 2003, on file with Human Rights Watch.

day, the authorities returned Muminov's body to the family's home. Police told the family that Muminov had committed suicide by hanging himself, explaining that he took the string from his tracksuit pants and hanged himself from the peep hole on his cell door.²⁰

Police accused Muminov of involvement with two other men in an armed robbery of a house.²¹ According to a family member, the police later showed her Muminov's signed confession, dated October 8, admitting to organizing the robbery and asking for forgiveness. The family member confirmed that it was Muminov's handwriting, but denied that it was his signature at the bottom.²²

Several post-mortem photographs of Muminov taken by his family show a broken skin injury around the neck and some bruising, but marks on the skin made by pooling of blood that commonly happens after death make it difficult to determine further possible signs of torture.

A criminal case for negligence was opened against the police officers on duty at the time of Muminov's death. However, on January 5, 2003, the case was closed by the decision of the investigator on the grounds that no crime had been committed.²³ In February, Muminov's family submitted a statement to the Tashkent City Prosecutor's Office, requesting that the case be further investigated and that Muminov's body be exhumed.²⁴ At the time of writing the Tashkent City Prosecutor's office had told the family that an exhumation could go forward, but refused to allow an expatriate forensic expert to participate.²⁵

Muzafar Avazov and Husnidin Alimov

The bodies of Muzafar Avazov and Husnidin Alimov, both religious prisoners at Jaslyk prison, one of Uzbekistan's most notorious facilities, were returned to their family members for burial in Tashkent on August 8, 2002. Individuals who saw Avazov's body told Human Rights Watch that it showed clear signs of torture, including burns on the legs, buttocks, lower back and arms, as well as heavy bruising to the head and neck. Also, Avazov's hands had no fingernails.²⁶ A medical doctor told the family that the burns could only have been caused by immersion in

²⁰ Human Rights Watch interview with family member (name withheld), Tashkent, October 18, 2002.

²¹ Police later arrested the other two suspects and at the time of writing a trial was in progress in the Sobir Rakhimov district court in Tashkent.

²² Human Rights Watch interview with family member (name withheld), Tashkent, October 18, 2002. Written statement to the City Prosecutor's Office from the family of Izzatullo Muminov, dated February 13, 2003, on file with Human Rights Watch.

²³ Human Rights Watch translation of Decision on Closing the Investigation of a Criminal Matter, Criminal Matter No.26/37208, written by the senior investigator of the Tashkent City Prosecutor's Office Kh.O.Khysanov, dated January 5, 2003. On file with Human Rights Watch.

²⁴ Written statement to the City Prosecutor's Office from the family of Izzatullo Muminov, dated February 13, 2003, on file with Human Rights Watch.

²⁵ Human Rights Watch telephone interview with the family's lawyer, Tashkent, March 13, 2003. Human Rights Watch telephone interview with a family member, Tashkent, March 19, 2003.

²⁶ Human Rights Watch interview, name withheld, Tashkent, August 9, 2002. The burns and bruising were later confirmed by photographic evidence. Photographs on file with Human Rights Watch.

boiling water. The authorities reportedly restricted viewing of Alimov's body, however, an official document stated that Alimov had burns to 60 to 70 percent of his body.²⁷

Large numbers of police were present when the bodies were returned and police controlled and monitored the flow of visitors to both families' homes and to the burials. Police cars surrounded the area around Avazov's family home and checked visitors who approached the house, preventing some from entering. Similarly, at the burial of Alimov, police questioned those in attendance, and reportedly detained two of the mourners.²⁸

Authorities from the office of Prosecutor General Rashidjon Kodirov reportedly threatened Avazov's family if they tried to talk to the media or gave interviews to others about the circumstances surrounding Avazov's death.²⁹

Both Avazov and Alimov had been imprisoned for practicing Islam outside of strict state controls, based on their membership in Hizb ut-Tahrir.³⁰ Avazov alleged during trial that he had been tortured in National Security Service custody with electric shock, and others close to him claimed that the authorities continued to torture him in prison after his conviction.³¹ In May 2002, a little over two months before his death, Human Rights Watch received reports that prison authorities had beaten Avazov and put him in a punishment cell for stating that nothing could stop him from performing his prayers.³² At the end of June, Human Rights Watch learned that Alimov had also been placed in a punishment cell.³³ A prisoner from Jaslyk later confirmed that both men had been placed in punishment cells prior to their deaths, adding that this was punishment for continuing to pray, in breach of prison rules.³⁴ The punishment cells in Jaslyk prison are located in the basement.³⁵

A third prisoner, Nemat Zufarov, who was tortured in the basement punishment cells at the same time as Avazov and Alimov and was subsequently transferred to Prison Number 46 near the city of Navoi, told a representative of the U.S. Embassy that Guyin Shodiev, the deputy head of Jaslyk prison, came to the basement cells on August 3. Shodiev reportedly saw the state of the

²⁷ Human Rights Watch interview with journalist (name withheld), Tashkent, August 9, 2002. Human Rights Watch interview with family friend (name withheld), Tashkent, August 9, 2002.

²⁸ Human Rights Watch telephone interview with family friend (name withheld), Tashkent, August 9, 2002.

²⁹ Human Rights Watch interview, name withheld, Tashkent, August 9, 2002.

³⁰ Judge Mansrur Akhmadjonov sentenced Avazov to twenty years in prison for having given classes based on the book "The Islamic Charter" and other related charges (articles 156-2d, 159-3b, 216, 242-1, 244-1(3)a, 244-2(1) of the Criminal Code of the Republic of Uzbekistan). On appeal, the sentence was later reduced to nineteen years. Human Rights Watch interview, name withheld, Tashkent, February 26, 2001. Human Rights Center "Memorial" and the Information Center for Human Rights in Central Asia, *List of Individuals Arrested and Convicted on Political and Religious Grounds in Uzbekistan (January 1999-April 2000)*, Moscow, May 2000, p. 40. Alimov was sentenced to sixteen years under articles 159-3, 216, 244-2(1). Human Rights Center "Memorial" and the Information Center for Human Rights in Uzbekistan, *List of Individuals Arrested and Convicted*, p. 49.

³¹ Human Rights Watch interview, name withheld, Tashkent, February 26, 2001.

³² Letter from a Jaslyk prisoner, name not given, dated May 5, 2002, on file with Human Rights Watch.

³³ Human Rights Watch interview, name withheld, Tashkent, June 25, 2002.

³⁴ Letter from a Jaslyk prisoner, name not given, dated August 15, 2002, on file with Human Rights Watch.

³⁵ In an interview with a political officer at the U.S. embassy, Nemat Zufarov, another prisoner in Jaslyk prison who was tortured at the same time as Avazov and Alimov, described the basement as "a dank, dark chamber containing four cells where beatings and tortures of all types took place." Transcript of interview with Nemat Zufarov taken by a political officer at the U.S. embassy in Tashkent, undated, on file with Human Rights Watch.

three prisoners who had been subjected to days of beating, but did not send for a doctor or do anything to help them.³⁶

The international community protested these brutal deaths in an unusually strong and unified voice. Representatives of the European Union (E.U.), the Organization for Security and Cooperation in Europe (OSCE) and the United States each met with then-Foreign Minister Abdulaziz Kamilov and formally protested the deaths and called for an independent investigation. On September 5, the E.U. made a similar statement at the OSCE Permanent Council.

To date the Uzbek government has failed to treat the torture allegations seriously. Their initial enquiries found that the injuries were caused in a “quick fight that lasted several minutes” between inmates, in which boiling water “which is placed in the cell for personal needs,” was spilled on Avazov and Alimov.³⁷

The OSCE responded to these initial findings in a letter to Foreign Minister Abdulaziz Kamilov questioning the findings of the initial investigation, calling them “highly disappointing and concern-raising” that “can not support the now publicly available evidence,” and urging a prompt, impartial and full investigation into the deaths.”³⁸ The letter further called on the results of the investigation to be made public, the families of the victims to be informed, the perpetrators to be brought to justice and punished, and the victims’ families awarded prompt reparation. A forensic report commissioned by the British embassy in Tashkent made on the basis of photographs of Avazov’s body concluded that “this person has been subjected to multiple blunt impact trauma consistent with beating.... The pattern of the scalding noted shows a well demarcated line on the lower chest/abdomen, which could well indicate the forceful application of hot water whilst the person is within some kind of bath or similar vessel. Such scalding does not have the splash pattern that is associated with random application as one would expect with accidental scalding.”³⁹

At the time of writing the Uzbek government continued to insist that the deaths were a result of a fight between inmates and was not known to have answered the letter from the OSCE.

Khusniddin Khikmatov

On May 26, 2002 Khusniddin Khikmatov died at home, after being released, critically ill, from Jaslyk prison, where he was serving a seventeen-year prison term on charges deriving from his membership in Hizb ut-Tahrir and possession of a book on Islam that the authorities deemed

³⁶ Transcript of interview with Nemat Zufarov taken by a political officer at the U.S. embassy in Tashkent, undated, on file with Human Rights Watch.

³⁷ Note by the Uzbek government on the deaths of Avazov and Alimov, sent to Human Rights Watch by the Embassy of Uzbekistan in Washington on August 29, 2002. On file with Human Rights Watch.

³⁸ Letter from Ambassador Stoudmann, then-director of the OSCE Office for Democratic Institutions and Human Rights, to Abdulaziz Kamilov, then-minister of foreign affairs of Uzbekistan, dated September 17, 2002.

³⁹ Letter of findings to Mr. Alisdair Walker, Foreign and Commonwealth Office London, from Peter Vanezis OBE, MD, PhD, FRCPath, FRCP (Glasg.), DMJ, Regius Professor of Forensic Medicine and Science, University of Glasgow, dated November 25, 2002, on file with Human Rights Watch.

“extremist.”⁴⁰ His death certificate stated that he had died from a “severe intestinal illness.”⁴¹ Days before his death, however, he recounted to people close to him the punishment meted out to him in prison for praying and refusing to ask for forgiveness from President Karimov.

Khikmatov had said that beatings in Jaslyk prison began the day he arrived. When relatives visited him in February 2002, they witnessed bruising on his back and arms. He told them that prison guards beat him, including on the soles of his feet, for refusing to ask for forgiveness from President Karimov and refusing to sing the national anthem.

In April, he began to pray openly, having previously only prayed in secret. For this he was placed in a punishment cell and two prison officers brutally beat him with batons for four days. By the fourth day he became ill with a high temperature and diarrhea. He was taken to the medical ward in Jaslyk prison and when his condition failed to improve, the authorities told him that he would be transferred to the prison hospital in Tashkent. First, however, they took him to Nukus, a town several hours from Jaslyk, and held him in custody for two weeks without medical treatment, he believed in order for his bruises to fade. At this stage he was unable to walk or eat—the authorities fed him via an intravenous drip. The authorities then transported him approximately 1200 kilometers to Tashkent, twenty-six hours by train, declining the option of sending him on an available flight.⁴²

Khikmatov arrived in Tashkent on May 16, 2002. On May 24, he was released from prison custody and taken to Infectious Diseases Hospital Number 5 in Tashkent, where police continued to monitor him and his visitors. Khikmatov lost consciousness early on May 26. That day the family took him home without the permission of hospital staff. He died in the early afternoon.⁴³

Police questioned visitors to the family home during the wake, refusing entry to some. There was a large police presence during the funeral.⁴⁴ The family told Human Rights Watch there had been no discussion with the authorities about an investigation, and made clear that they felt too intimidated to press the issue. No known investigation into Khikmatov’s death has been initiated.

Ikrom Aliev

According to a local human rights activist, on February 7, 2002, police brought Ikrom Aliev to his relatives’ house. Convicted in 1999 on charges deriving from his religious beliefs and affiliation, Aliev had been serving his sentence in Navoi prison.⁴⁵ When police brought him

⁴⁰ Human Rights Watch interview, name withheld, Tashkent, July 22, 2002. Verdict of the Tashkent City Court, issued by Judge M.A. Abdujabbarov, September 25, 2001.

⁴¹ Human Rights Watch interview, name withheld, Tashkent, July 22, 2002.

⁴² Written statement from informed source (name withheld), undated, on file with Human Rights Watch. Human Rights Watch interview, name withheld, Tashkent, May 26, 2002.

⁴³ Human Rights Watch interview, name withheld, Tashkent, July 22, 2002.

⁴⁴ Ibid.

⁴⁵ Aliev was convicted on charges of anti-constitutional activities (article 159 of the Criminal Code of the Republic of Uzbekistan) and with possession of narcotics (article 276(2)). Human Rights Watch interview with human rights defender who observed the trial, Tashkent, July 7, 2002. According to an observer at the trial, he denied possession of narcotics in court. It was a common practice of Uzbek law enforcement officers to plant small amounts of drugs on Muslims arrested in the context of the campaign against independent Islam in order to justify their arrest.

home he was paralyzed on his right side and there was a large lump on his head. Police, however, reportedly told his relatives that he was ill with tuberculosis.

Relatives called an ambulance and took Aliev to a tuberculosis hospital, where a doctor examined him but refused to take him as a patient. He told the family that Aliev did not have tuberculosis, but was suffering from internal damage caused by blows with a blunt object.

Aliev died two days later. The death certificate reportedly stated that the cause of death was tuberculosis.⁴⁶

Deaths officially attributed to illness, compounded by torture or ill-treatment

“A death in any type of custody should be regarded as prima facie a summary or arbitrary execution, and appropriate investigation should immediately be made to confirm or rebut the presumption.”⁴⁷

Ill-treatment in Uzbek prisons lays waste to the health of prisoners, sometimes turning a prison sentence into a death sentence. Prisoners are treated harshly and denied their needs through neglect or corruption. Prison officials frequently beat prisoners and subject them to ill-treatment by such actions as stealing food and medicine hand-delivered by prisoners’ relatives,⁴⁸ and placing them in cells with freezing temperatures wearing inadequate clothing. Such treatment weakens prisoners’ health and can lead to or compound illness, which sometimes ends with the prisoner’s death. In such a case, the official cause of death is given as “tuberculosis,” “sclerosis of the liver,” or “septic endocarditis”⁴⁹ and the authorities take no responsibility for the death. Human Rights Watch documented thirteen cases that occurred since 2001, in which the ill prisoner’s death was preceded by mistreatment. Descriptions of three follow below.

Mirakhmed Mirzakhmedov, thirty-seven, died in February 2002 from tuberculosis while serving a five-year sentence on charges related to “religious extremism.”⁵⁰ When his family visited him in Jaslyk prison in the winter of 1999-2000, several months after his conviction, they found that he had gone from weighing approximately seventy-five to approximately forty-five kilograms. He told them that he was receiving only one small piece of bread a day. The family left food for him with the prison guards,⁵¹ however, they later found out that he did not receive any of it. After about one year in Jaslyk prison, he was diagnosed with tuberculosis and transferred to Prison Number 62 near Bukhara, which has only ill prisoners, most of them sick with tuberculosis. He was not given a mattress to sleep on, and received little food. Although he did receive food parcels from his family, the prison guards took a portion for themselves before

⁴⁶ Human Rights Watch interview with human rights defender (name withheld), Tashkent, July 7, 2002.

⁴⁷ Paragraph 209, Report of the U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions to the Commission on Human Rights, 1986, (E/CN.4/1986/21).

⁴⁸ Human Rights Watch interview with relatives of “B.B.,” Margilan, March 5, 2003.

⁴⁹ Endocarditis is an infection of the heart valve. Death certificates on file with Human Rights Watch.

⁵⁰ Mirzakhmedov was sentenced in 1999. The prosecution argued that he had participated in a “Wahhabi” organization. He denied the charges in court. Human Rights Watch interview with Mirakhmed Mirzakhmedov’s mother, Tashkent, February 10, 2003.

⁵¹ Prisoners are allowed to receive food parcels from their relatives, and most prisoners use this to supplement the inadequate dietary provisions supplied by the authorities.

handing it over, a practice common throughout the countries of the former Soviet Union. The authorities refused to release him under the 2001 amnesty that provided for the release of seriously ill prisoners, most likely as a form of discrimination for his status as a religious prisoner.⁵² Before his death, Mirzakhmedov told his mother of the constant beatings that he received while in custody, including with metal pipes.⁵³

In other cases, interviewees similarly described the systematic mistreatment meted out to prisoners, and in particular to religious prisoners. Mirkamol Solikhojoev, thirty-seven, died in prison from tuberculosis, according to official documentation, on February 28, 2002. Family members told Human Rights Watch that since his conviction for anti-state activities in connection with membership of Hizb ut-Tahrir in December 1999, Solikhojoev had been systematically beaten with clubs and barbed wire in prison, leaving puncture wounds in his legs as a result.⁵⁴ Dilmurod Juraev, twenty-seven, was convicted on similar charges in 1999 and sentenced to seventeen years in prison. Police delivered his corpse to his family home on February 6, 2002. While official documents indicate that the cause of his death was tuberculosis, family members state that he was subjected to electroshock and beaten with clubs while incarcerated.⁵⁵

As in the cases of deaths of religious prisoners from torture, the authorities persecute families of religious prisoners who die from disease following torture or ill-treatment even after the death, forcing a quick burial and limiting access to the bodies, and then make repeated visits, forcing family members to sign statements disavowing the religious activities of their relative.⁵⁶

⁵² Human Rights Watch has documented many cases of religious prisoners being rejected for an amnesty for alleged breaches of internal prison rules. See Human Rights Watch Briefing Paper, "Religious Persecution of Independent Muslims In Uzbekistan From September 2001 to July 2002," August 21, 2002, available at: <http://hrw.org/backgrounder/eca/uzbek-aug/uzbek-brief0820.pdf>

⁵³ Human Rights Watch interview with Mirakhmad Mirzakhmedov's mother, Tashkent, February 10, 2003.

⁵⁴ Human Rights Watch interview, name withheld, Tashkent, March 4, 2002.

⁵⁵ Human Rights Watch interview, name withheld, Tashkent, February 28, 2002.

⁵⁶ Human Rights Watch interview, name withheld, Margilan, March 5, 2003. Human Rights Watch interview, name withheld, Tashkent, February 26, 2003.