

ACCORD Response

Recommended citation:

ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Reports on summoning of ethnic Uzbeks to police authorities, falsifying charges against them in order to extort money [a-7899 (ACC-KYR-7899)], 20 February 2012 (available at [ecoi.net](https://www.ecoi.net)) https://www.ecoi.net/file_upload/response_en_211093.html (accessed 01 May 2012)

20 February 2012

Uzbekistan: Reports on summoning of ethnic Uzbeks to police authorities, falsifying charges against them in order to extort money

a-7899 (ACC-KYR-7899)

This response was prepared after researching publicly accessible information currently available to ACCORD within time constraints and in accordance with ACCORD's methodological standards and the *Common EU Guidelines for processing Country of Origin Information (COI)*.

This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status, asylum or other form of international protection.

Please read in full all documents referred to.

Non-English language information is comprehensively summarised in English. Original language quotations are provided for reference.

A January 2012 article of the Kyrgyz newspaper Vechernyi Bishkek (VB) contains the following information on Uzbeks being detained and extorted by police:

“А органы внутренних дел используют эту ситуацию как благоприятную для их личной наживы. Никто сейчас не встанет на защиту мелкого бизнесмена– узбека, с которого что–то можно содрать. Милиция пользуется ситуацией. Когда стражи порядка обчистили почти всех имеющих бизнесменов в Оше, то принялись за трудовых мигрантов, которые после сезонных работ возвращаются пока еще на родину.

Вымогательство начиналось с аэропорта в Оше, когда мужчины–узбеки в возрасте от 20 до 45 лет возвращались из России. К ним подкатывали сотрудники местных правоохранительных органов: мол, прибывший похож на того, кто был замечен в массовых беспорядках, похож на разыскиваемого. Вернувшиеся мигранты просто молча отдавали деньги. Очевидно, что подобный национализм очень выгоден милиции, прокуратуре и судам на юге.

А сколько служители Фемиды на этом зарабатывают! Огромные суммы заносятся судьям, чтобы изменить ту или иную статью, сократить срок для подсудимого. Теневой оборот ‚корпорации правосудия‘ на юге просто в голове не укладывается: такие огромные деньги там крутятся. Особенно ‚урожайной‘ выдалась осень 2010 года. Нам называли колоссальные суммы взяток, которые давались. Некоторые шутили: к Новому году сотрудники милиции и прокуратуры могут на личных самолетах летать отдыхать на теплые моря!” (VB, 18 January 2012)

Uzbekistan: Bishkek Week (UBW) report for the World Report 2012; Kyrgyzstan: published January 2012; date

in at least nine cases police arbitrarily detained and tortured ethnic Uzbeks and threatened to charge them if they did not pay large sums. Furthermore, at least two ethnic Uzbeks died in 2011 due to injuries sustained when detained in police extortion schemes:

“While local human rights NGOs report that incidents of arbitrary detentions and torture in police custody decreased in 2011 in the south, these abuses remain rampant and unpunished, particularly in the context of investigations into the June 2010 violence. Most judges in such cases dismiss, ignore, or fail to order investigations into torture allegations. In at least nine cases police also arbitrarily detained and tortured ethnic Uzbek men and threatened to charge them in relation to the June 2010 violence if they did not pay large sums.

Human Rights Watch research found at least two ethnic Uzbeks died in 2011 due to injuries sustained when detained in police extortion schemes. Given the routine use of torture by the country’s law enforcement officials, efforts by the prosecutor’s office to investigate allegations of torture were inadequate. The prosecutor general’s office stated it had launched 34 criminal investigations into torture allegations between January and July 2011. However, only three law enforcement officials have been convicted in just two cases. At this writing six more cases had been sent to a court.” (HRW, 22 January 2012)

In an August 2011 article HRW describes the case of Usmonzhon Kholmirzaev, an ethnic Uzbek who died two days after being released from police custody. The policemen allegedly tortured Kholmirzaev for several hours, trying to extort money from him in exchange for his release:

“An ethnic Uzbek detained and allegedly tortured by police in southern Kyrgyzstan died on August 9, 2011, two days after he was released from police custody, Human Rights Watch said today. The police had threatened to press charges against him in connection with the June 2010 interethnic violence, he told his wife before he died. [...]

Three police operatives in civilian clothing took the man, Usmonzhon Kholmirzaev, a Russian citizen, from his home in Bazar Korgon to the local district police department at about 4 p.m. on August 7. They did not show an arrest warrant, nor did they say where they were taking him, his wife, Zulfiya, told Human Rights Watch.

The policemen allegedly tortured Kholmirzaev for several hours, trying to extort money from him in exchange for his release. He told his wife that as soon as he was taken into the station, the police put a gas mask on him and started punching him. When he fell down, one of the operatives, using his knees, jumped on Kholmirzaev’s chest two or three times. Kholmirzaev said he lost consciousness.

When he regained consciousness, he told his wife, the police threatened that if he did not pay, they would frame him on charges of involvement in an attack during the June 2010 violence. They finally agreed to accept \$680, which his family brought, and he was released at about 8 p.m., his wife said. Police told him they would harm his family if he told anyone what had happened.

When he returned home, he could barely walk, his wife said, and his condition worsened the next day. He was taken to the local hospital, where he died early on the morning of August 9. He was hesitant to tell doctors about his injuries but before he died, told his wife, “They beat me to death.”

Kholmirzaev’s is one of seven cases Human Rights Watch has documented recently in which police in southern Kyrgyzstan beat ethnic Uzbek detainees, tried to extort \$2,000 or more, and threatened to press criminal charges, including charges related to the June 2010 violence. if victims failed to pay. Human Rights Watch documented four such cases in one

week in July on just one street in Osh.” (HRW, 11 August 2011)

In a September 2011 article Eurasianet states that since June 2010 there has been a rising number of deaths of Uzbeks in police custody. Many of those who died were subjected to extortion attempts:

“Since ethnic violence between Kyrgyz and minority Uzbeks in June 2010, suspicious deaths of Uzbeks in police custody have emerged as an alarming trend, activists allege. A close examination of some recent cases, suggest thuggery is a common theme: many Uzbeks who died in custody were reportedly subjected to extortion attempts.

In one recent instance, Mamataziz Bizrukov, 63, died in police custody on September 1 in Osh. Police say he suffered a heart attack. But Osh-based human rights activists argue Bizrukov was tortured and repeatedly beaten in his kidneys in an attempt to extort money.” (Eurasianet, 20 September 2011)

The Central Asia-Caucasus Institute (CACI) mentions in an article from 7 August 2011 that there were reports of ethnic Uzbeks being detained, tortured and extorted by policemen of Kyrgyz ethnicity:

“Ethnic Uzbek residents of towns in southern Kyrgyzstan have reported incidents where local policemen of Kyrgyz ethnicity subjected them to detention, torture and extortion. Several Uzbek citizens have also reported harsh treatment on the border from Kyrgyz border guards. In both cases the victims report being mistreated solely on the basis of ethnicity.” (CACI, 7 August 2011)

In his report to the UN Human Rights Council (HRC), published April 2011, the United Nations High Commissioner for Human Rights mentions numerous reports of arbitrary detention of ethnic Uzbeks in Osh and Jalal-Abad and reports of extortion by police in such cases of detention:

“47. In the aftermath of the June 2010 violence, OHCHR received numerous reports of arbitrary detention in Osh and Jalal-Abad. In the majority of the cases documented by the Office, the victims were ethnic Uzbek. In some cases, members of security forces failed to show warrants, explain the reasons for the detention or clarify where the detainees were being taken. There were numerous reports of extortion by police in such cases of detention. Reports continue that police officers demanded the payment of money from detainees or their relatives to secure their release or to avoid having investigations initiated against them. In the vast majority of such cases, victims refused to file complaints as they feared repercussions.” (HRC, 1 April 2011, p. 10)

References:(all links accessed 20 February 2012)

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- HRW - Human Rights Watch: World Report 2012, 22 January 2012
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