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UZBEKISTAN: Criminal trial tomorrow for Baptist leader

By Felix Corley, Forum 18, and Mushfig Bayram, Forum 18

A Baptist who hosts worship in his home will be tried on criminal charges, starting tomorrow (13 November), Forum 18 News Service has learnt. Nikolai Zulfikarov is being prosecuted under the Criminal Code for "teaching religious doctrines without special religious education and without permission from a central organ of administration of a religious organisation, as well as teaching religion privately". Punishments range from fines of fifty times the minimum monthly wage to three years' imprisonment. Local Baptists, who preferred not to be identified, have complained about continuing harassment. "The authorities have repeatedly visited worship services, drawn up official records [of alleged offences] and confiscated Bibles, concordances, hymnbooks and other Christian brochures and leaflets." They called for the case against Zulfikarov to be closed, for confiscated literature to be returned and for the congregation's worship not to be impeded. Repression of religious communities of all faiths is taking place in Uzbekistan.

Nikolai Zulfikarov - who hosts worship in his home of a small Baptist congregation in Khalkabad near Pap in the eastern Namangan Region - faces the start of a criminal trial tomorrow (13 November), on charges of "illegal teaching of religion", Forum 18 News Service has learnt. If convicted, Zulfikarov faces up to three years' imprisonment. Bakhrom Batyrov, the judge due to conduct the trial at Pap District Criminal Court, insists that he will listen to the prosecutors and Zulfikarov before handing down his verdict. "Until proven guilty no one can say he is guilty of something," Judge Batyrov told Forum18 from Pap on 12 November. "Tomorrow we will listen to him and other witnesses, and then make a decision." The Judge did not indicate when the trial will end.

Local Baptists, who preferred not to be identified, have complained about repeated harassment of the Khalkabad congregation. "The authorities have repeatedly visited worship services, drawn up official records [of alleged offences] and confiscated Bibles, concordances, hymnbooks and other Christian brochures and leaflets," Baptists complained to Forum 18 on 8 November. They called for the case against Zulfikarov to be closed immediately, for the confiscated literature to be returned and for the congregation not to be impeded in its worship. "The believers have the right to this not only in accordance with Uzbekistan's Constitution, but in accordance with international agreements."

The prosecution of Zulfikarov comes amid rising repression of religious communities, including moves to crush the Grace Presbyterian Church in the capital Tashkent

As usual, Begzot Kadyrov of the government's Religious Affairs Committee refused to discuss the prosecution of Zulfikarov or the latest moves against the Grace Church in Tashkent. "No discussions over the phone," he told Forum 18 brusquely on 12 November. "Write a letter to the Ministry of Foreign Affairs." The Foreign Ministry has played no role in Zulfikarov's prosecution or in moves against the Grace Church and other religious communities.

Likewise, Abdumalik Motboev, the head of the Pap District Criminal Investigation Department who has been leading the investigation into Zulfikarov's case, refused to discuss it. "I won't discuss anything by phone," he told Forum 18 on 12 November from Pap. "Come to my office and I will talk to you."

The Khalkabad church - which consists of just five adult members - belongs to the Baptist Council of Churches, which rejects state registration in all the former Soviet republics where it operates. The Khalkabad congregation has long faced official pressure. Charges against Zulfikarov were lodged after police raided successive Sunday services on 29 July and 5 August. Prosecutors initially lodged a case under Article 216 of the Criminal Code, which punishes "illegal organisation of a social or religious organisation" (see F18News 24 August 2007 http://www.forum18.org/Archive.php?article_id=1010).

However, the charge was subsequently changed. Zulfikarov now faces trial under Criminal Code Article 229-2, which punishes "teaching religious doctrines without special religious education and without permission from a central organ of administration of a religious organisation, as well as teaching religion privately". Punishments range from fines of fifty times the minimum monthly wage to three years' imprisonment.

Uzbekistan's repressive 1998 Religion Law - in defiance of the country's international human rights commitments - allows only registered religious organisations with a registered central administration to conduct religious education. Currently only seven faiths

have this status.

Meanwhile the authorities are continuing their attempts to strip the Grace Presbyterian Church in Tashkent of both its legal status as a religious community – in effect outlawing all its activity – and its building. Protestant sources have told Forum 18 that on 22 October the Tashkent city Justice Administration lodged a suit at the city's Civil Court to have its activity halted.

Forum 18 reached the department of Tashkent city Justice Administration overseeing religious organisations on 12 November. The man who would not identify himself took down Forum 18's name and asked what the question was. As soon as he heard Forum 18's question as to whether the department is trying to strip the Grace church of its registration, he said he could not hear well and asked Forum 18 to call back. When Forum 18 called back the telephone was disconnected.

In addition to trying to strip the Grace Church of its legal status, the authorities are trying to confiscate the congregation's building. The Church bought a former cinema in Tashkent's Khamza District in April 1999 from the city department of the State Property Committee. However, on 24 July the same department lodged a suit at the city's Economic Court to have the sale annulled. Local Protestants have described the move to Forum 18 as "illegal" (see F18News 30 August 2007 http://www.forum18.org/Archive.php?article_id=1012).

After hearings at Tashkent city's Economic Court, the case has now moved to Tashkent Regional Economic Court. The case is next due to be heard there on 15 November. "This is a very important hearing," Protestant sources told Forum 18, adding that church members hope that international observers would be present at the hearing. "In preparation for this hearing, all the legal documents regarding the purchase of the building have been translated, notarised and given to the lawyers. It seems absurd that the fabrication of lies can go this far, even with the church having all the right legal papers."

No officials at the switchboard or in the chancellery of the Regional Economic Court would discuss the case with Forum 18 on 12 November.

The Grace Church's pastor, Felix Li, is in the middle of a forty-day fast to protest against the moves to close down the congregation. Other church members have also joined in.

Raids on religious minorities have continued elsewhere in Uzbekistan. Protestant sources have complained to Forum 18 of what they describe as an "illegal" raid on the home of Baptist leader Andrei Shevchenko in the town of Syrdarya [Sidare], 80km (50 miles) south-west of Tashkent. On Sunday 4 November a group of local police officers raided his home while he was meeting with fellow church members. Police confiscated two copies of the Bible and nine hymnbooks from him.

Protestants told Forum 18 that charges under the Code of Administrative Offences are now being considered against Shevchenko. He faces possible punishment under Article 240, which punishes "violation of the law on religious organisations", and Article 241, which punishes "failure to observe the correct procedure for teaching religious beliefs". If prosecuted and found guilty, he could be imprisoned for up to two weeks or face a fine of up to 100 times the minimum monthly wage.

Andrei Shevchenko is the son of Nikolai Shevchenko, pastor of the embattled Bethany Baptist Church in Tashkent.

Threatened with a criminal case earlier this year was Mikhail Goryachev, a member of the Council of Churches congregation in Tashkent. Local Baptists told Forum 18 that prosecutors prepared a case against him under Article 216-2, Part 1 of the Criminal Code, which punishes "violation of the law on religious organisations" (see F18News 24 August 2007 http://www.forum18.org/Archive.php?article_id=1010). Although by late July it appeared that the charges had been dropped, Forum 18 has learnt that it was not until early November that written confirmation was sent that the case had indeed been closed "for lack of a crime".

Religious minority communities continue to face obstruction to their applications for legal status. Protestant sources told Forum 18 that on 23 October, the Tashkent city Justice Administration refused the registration application of a Full Gospel Pentecostal congregation led by Pastor Serik Kadyrov. It claimed that the church's statute contained "inadequacies" that needed to be corrected.

A number of Protestants have been fined in recent months to punish them for their peaceful religious activity, including a group of five Seventh-day Adventists in Tashkent in late September (see F18News 12 October 2007 http://www.forum18.org/Archive.php?article_id=1034).

During 2007 there has been an increasing tendency for the authorities to jail members of the Protestant and Jehovah's Witness religious minorities. Pentecostal prisoner of conscience Dmitry Shestakov is now serving a four year labour camp sentence (see F18News 27 June 2007 http://www.forum18.org/Archive.php?article_id=982). Two Jehovah's Witnesses, Irfon Khamidov and Dilafuz Arziyeva, have also been sentenced this year for "illegally teaching religion" and Uzbekistan's last registered Jehovah's Witness congregation is threatened with losing its legal status. If this happens, all activity by the entire community will – under Uzbekistan's highly restrictive Religion Law - become illegal (see F18News 21 August 2007 http://www.forum18.org/Archive.php?article_id=1009).

Many forms of harassment and persecution of the peaceful religious activity of all faiths are used by the Uzbek authorities. These include: increasing "legal" restrictions on freedom of thought, conscience and belief; severe pressure by the state against communities which are registered or wish to be registered; actions by the authorities which violate even the harsh published laws; heavy state control of the activity of religious communities; and extensive surveillance - both overt and covert - by the authorities (see F18News 5 November 2007 http://www.forum18.org/Archive.php?article_id=1043). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all faiths as the best antidote to Islamic religious extremism in Uzbekistan, see http://www.forum18.org/Archive.php?article_id=338.

For more background, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=777.

Full reports of the religious freedom situation in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>.

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