

24 September 2009

UZBEKISTAN: "They can drink tea – that's not forbidden"

By Felix Corley, Forum 18

Following 15-day jail terms handed down to two Baha'is in Tashkent, one of the two, Timur Chekparbayev, who was subsequently expelled from Uzbekistan, told Forum 18 News Service that he harbours no ill feelings. "I don't want to complain – I don't blame anyone." The authorities accused the two of missionary activity and proselytism, following a police raid on a meeting for teenage Baha'is. Chekparbayev stated that these claims are unfounded, and pointed out that the meeting was a regular activity which took place with the permission of both the authorities and the parents of the young people involved. Asked whether religious communities have to inform the authorities when they hold any religious event or drink a cup of tea together, Akram Nematov of the Justice Ministry told Forum 18 that "They can drink tea – that's not forbidden, but they must inform the Department when they hold religious education with young people." The Baha'i community is shocked and mystified by the raid and the detentions.

One of the two Baha'is imprisoned for fifteen days in Uzbekistan's capital Tashkent after a raid on a July meeting – and who was subsequently expelled from the country - has insisted to Forum 18 News Service that he harbours no ill feelings. "I don't want to complain – I don't blame anyone," Timur Chekparbayev told Forum 18 from the Kazakh city of Almaty on 22 September. He said accusations that he was a missionary are unfounded. "It is a misunderstanding of the status and activity of the Baha'is. We don't have priests or missionaries in our faith."

In the wake of the raid he and fellow Baha'i Eliyor Nematov – who was visiting Tashkent from Bukhara [Bukhoro] - were accused of missionary activity and proselytism. However, Chekparbayev insisted that, while a Kazakh citizen, he had made his home in Tashkent in 2004, for family reasons, and has the necessary temporary registration to live in the city. His wife is Uzbek and their three children were all born there.

Chekparbayev said the youth meeting broken up by police on 24 July did not directly concern the teaching of their faith. "It was about social economic endeavour for the betterment of society," he explained to Forum 18. "This programme includes acts of service such as helping elderly people and cleaning the environment. By its nature it has nothing to do with proselytism." He said Baha'is are forbidden by their own laws to proselytise. "They engage in acts of service and this was the case of the youth meeting in order to prepare for such service."

Defending what he termed the "check-up" on the Baha'i community was Akram Nematov, the head of the Justice Ministry department that registers religious organisations (no relation to the detained Baha'i). "One official from Tashkent City Justice Department was involved," he told Forum 18 from Tashkent on 23 September. "The Justice Department investigation established that the community was attracting young people to religious events without permission from their parents, didn't inform the Justice Department that it was holding an educational event on that day, didn't present written permission from parents allowing their children to attend, and was using religious literature that wasn't approved by the Religious Affairs Committee."

Missionary activity and proselytism are criminal offences in Uzbekistan, and the authorities are hostile to children being involved in religious activities (see Forum 18 religious freedom survey at http://www.forum18.org/Archive.php?article_id=1170).

Nematov of the Justice Ministry told Forum 18 that officials "removed for examination" – he rejected suggestions that this was "confiscation" – religious books the Baha'is were using and sent them to the Religious Affairs Committee to verify if they have been approved. Asked what the evaluation of the Committee had been and whether the books have been returned, given that the raid took place two months earlier, he responded that he did not know.

Religious literature is often confiscated during raids on religious communities, and may subsequently be destroyed (see F18News 1 July 2008 http://www.forum18.org/Archive.php?article_id=1153).

Asked whether religious communities have to inform their local Justice Department when they hold any religious event or drink a cup of tea together, Nematov responded: "They can drink tea – that's not forbidden, but they must inform the Department when they hold religious education with young people."

Told that the Baha'is maintain that most if not all the parents had given written permission for their children to attend events at the

Baha'i centre, Nematov declared: "That's not the information that I have. How do you know they're not lying?"

Asked why if these accusations were made against the community, Timur Chekparbayev and Eliyor Nematov were found guilty on a completely unrelated charge of resisting the activity of a police officer, Akram Nematov said he did not know. He said he was not aware that the two men had been sentenced to prison terms nor that Chekparbayev had subsequently been expelled from the country.

Nematov said that his department at the Justice Ministry had, after the raid and a subsequent complaint from the Baha'i community, investigated the actions of the Ministry's Tashkent city Department. He stressed that his Ministry is only responsible for the actions of its officials not of other agencies. He said if the Baha'is are still unhappy they can challenge officials' actions in court.

Chekparbayev said the Baha'i community is shocked and mystified by the raid and the detentions. "This is the first time we have experienced anything like this," he told Forum 18. "The authorities have always shown a good attitude. The government's Religious Affairs Committee has always given us permission for the literature we have asked for."

He insisted that most if not all the literature had been approved by the Religious Affairs Committee or had been obtained before 1998 when religious censorship was introduced, that most if not all the parents had signed letters permitting the attendance of their children and that the meeting had been a regular event that fell within the activity specified in their registered charter.

The official who answered the phone at the Religious Affairs Committee in Tashkent on 23 September said Committee chair Artyk Yusupov and its specialist Begzot Kadyrov were both away on work trips and said no-one else could answer Forum 18's questions about the raid on the Baha'i community and the punishments, or what has happened to the literature confiscated from them.

The Baha'i community in Tashkent has had state registration since 1991. The Baha'is have four other registered communities in Uzbekistan – in Samarkand, Jizak, Bukhara and Navoi.

Meeting raided

Trouble began on the afternoon of 24 July, during the day-long meeting for teenage Baha'is. More than ten officers from the police and NSS secret police, together with an official of the City Justice Department and the head of the mahalla (city district) committee arrived at the Baha'i centre in Tashkent's Khamza District. They said it was a "planned check-up", Chekparbayev said, though they then locked the door. Police began filming participants.

Police insisted that the nine members of the governing Spiritual Assembly be summoned, and Chekparbayev – who had not been present at the meeting – was the first to arrive. He said he was asked to explain on camera who he was and what role he had. "I explained on camera that this was a regular meeting to deepen knowledge of our faith in line with the provisions of our charter," he told Forum 18. "I pointed out that only Baha'is and the children of Baha'is were present."

Chekparbayev said police were questioning the teenagers directly, and he told them not to answer any questions as children are not allowed to be interrogated unless their parents or a lawyer are present.

Chekparbayev said the parents of the children had given written permission for them to attend events at the Baha'i centre, but said officials insisted that such letters of permission had to be officially notarised. (Nematov of the Justice Ministry told Forum 18 that such letters do not need to be notarised.)

Police then took all the teenagers and about ten adults to the Khamza District Police station, including Chekparbayev. All the adults were photographed. The teenagers were later that evening put in a bus and taken to a holding centre for their parents to collect them.

Prison terms

While all the other adults were also freed that evening, Chekparbayev and Nematov were held overnight. They were accused of conducting proselytism and missionary activity, as well as of resisting a police officer. The following day they were separately brought before Khamza District Court. They were each found guilty of violating Article 195 of the Code of Administrative Offences, which punishes "resisting police officers in carrying out their duties". They were each given the maximum term under the Article of fifteen days' imprisonment. Neither was fined.

Forum 18 believes that several other adults who had attended the meeting were also subsequently fined. The chancellery of Khamza District Court refused to confirm to Forum 18 on 23 September the sentences imposed on Chekparbayev and Nematov, or to reveal how many Baha'is had been fined.

Chekparbayev and Nematov served the prison term in the detention centre of the City Police in Kuyluk District. This is the same prison where – a few weeks later – four Protestants were held after being sentenced to fifteen days' imprisonment on 24 August (see F18News 26 August 2009 http://www.forum18.org/Archive.php?article_id=1341).

However, when the two Baha'is' prison sentences were over on 9 August, Chekparbayev was not freed but instead taken to the border post with neighbouring Kazakhstan on the pretext of checking his immigration status. He told Forum 18 that border guards indicated to him that his documents were in order, but the police insisted he had to leave the country. "They gave no reason and no documentation." However, he said he believes there is no reason why he cannot return as he was not deported and his passport has not been marked.

Chekparbayev told Forum 18 that he was treated well both in the police station and in the detention centre. He believes he may have been singled out because he refused to sign any document at the police station or when he was expelled from Uzbekistan.

Hostile state-backed media coverage

Chekparbayev's case became known when the state-backed website Gorizont.uz published an article on 16 September accusing him of "active propaganda for the ideas of the Baha'i religious community". Stressing that he is a 36-year-old Kazakh citizen, it claimed – wrongly - that because of this he had been deported without the right to return.

Pointing out that the Baha'i faith has its roots in Iran, and ignoring the fact that Baha'is have suffered severe persecution there since the Islamic revolution of 1979, the website declared: "It is completely clear that Mr Chekparbayev arrived in Uzbekistan with the aim of creating an Iranian transplant, relying for support on the lavish input from sponsors."

Chekparbayev expressed his concern to Forum 18 at the allegations, which he rejected. "How can the authorities accuse us of being Iranian agents when the case of the persecution of Baha'is in Iran is well known to the world?" he asked. "Baha'is are persecuted in Iran just because of their belief. The whole thing is a big misunderstanding."

The Gorizont article also pointed to the Baha'is' worldwide headquarters in the Israeli city of Haifa, claiming that some Jews have identified the Baha'i faith as a means to "smash the unity" of the Muslim community. It also claimed that the Baha'i faith "is not recognised by the international community as an independent and official religion" and accused it of conducting "ideological subversion" aiming to "sow confusion in the souls of millions of inhabitants of Uzbekistan".

Gorizont.uz reported Chekparbayev's 24 July detention - but did not reveal the extent of the raid - and his sentence, though without reporting the punishments imposed on the other Baha'is.

The state-controlled mass media is used to encourage intolerance of religious groups the government dislikes, as well as opposition to freedom of religion or belief in the country (see eg. F18News 12 January 2009 http://www.forum18.org/Archive.php?article_id=1239). (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=1170.

Full reports on freedom of thought, conscience and belief in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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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