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UZBEKISTAN: Three short-term jail sentences for prisoners of conscience

By Mushfig Bayram, Forum 18

Two Protestant Christians in southern Uzbekistan have been given 15 and 10 day jail terms respectively, local sources have told Forum 18 News Service. Azamat Rajapov and Abdusattor Kurbonov were apparently sentenced for unregistered religious activity and began their jail terms on 23 April. No notice was given of the trial and the first the prisoners' families and friends knew was a brief telephone call from one informing them the two were in jail. The following day a Jehovah's Witness in Tashkent received a 15-day term. The cases mark a resumption of the policy of using 5 to 15-day jail sentences against selected Christians and Jehovah's Witnesses exercising their right to freedom of religion or belief. In a separate case the head of the police in Almalyk, near the capital Tashkent, has continued sending letters threatening religious believers with criminal charges. In incidents unrelated to these two cases Forum 18 continues to be made aware of cases of torture, and of women (and sometimes men) detained for their religious activity being targeted by male officials with overt or implied threats of sexual violence. Forum 18 notes that it is highly unusual for victims to want to document their experiences publicly.

Two members of a Protestant church in Termez, in southern Uzbekistan close to the border with Afghanistan, were each sentenced to 15 and 10 days in jail respectively on 23 April, Protestant sources have told Forum 18 News Service. Azamat Rajapov - given 15 days - and Abdusattor Kurbonov - given 10 days - were found guilty of breaking Administrative Code Articles 240 ("violation of the law on religious organisations") and 241 ("teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organisation, as well as teaching religious beliefs privately"), for which 15 days' imprisonment is the maximum penalty.

The day after the two Protestants were imprisoned, a court in the capital Tashkent sentenced a male Jehovah's Witness to 15 days' imprisonment, Jehovah's Witnesses told Forum 18. He was punished under Administrative Code Article 184 ("preparation or storage with the aim of distribution of materials representing a threat to social security or social order"), Article 201 ("violating the procedure for organising and conducting gatherings, meetings, street processions and demonstrations"), Article 202 ("creating the conditions for conducting unapproved gatherings, meetings, street processions and demonstrations"), Article 240, and Article 241. Local Jehovah's Witnesses asked Forum 18 that his identity not be published for fear of further state reprisals.

In 2009, 25 Protestants, Baha'is and Jehovah's Witnesses are known to have been given jail sentences of between 5 and 15 days for exercising their religious freedom. The short-term jailings appear to have abruptly stopped in late November 2009 (see F18News 14 January 2010 http://www.forum18.org/Archive.php?article_id=1394). However, they restarted in February 2010 with short-term sentences handed down to two Jehovah's Witnesses (see F18News 11 March 2010 http://www.forum18.org/Archive.php?article_id=1419).

Much longer jail terms are given to Muslims the authorities prosecute for exercising their religious freedom (see F18News 26 April 2010 http://www.forum18.org/Archive.php?article_id=1436).

Where are the Protestant prisoners of conscience being held?

Local Protestants have also complained to Forum 18 that court verdicts have so far not been given in writing to the victims' families.

A local Protestant, who did not want to be identified for fear of state reprisals, said that family members were not told either where their relatives were being detained or tried, despite asking two different courts and Termez Police. The two Protestants were – the families were finally told - tried by Judge Kurbon Tangirov of Uchkyzyl District Criminal Court in Termez City Court, the Protestant told Forum 18 on 28 April. It is not clear why the two church members were tried in Termez by a judge from a nearby district, and not by a Termez judge.

The court would not give any details except a telephone number for Judge Tangirov, and asked the family to call him, the Protestant said. "However, no one has answered the telephone, which the family have tried to call for the last two days."

Forum 18's calls to the number also were not answered on 28 and 29 April.

Eventually, after repeated enquiries to Termez Police, the families were told that the police were holding the two prisoners. Khayrullo Sodikov, Termez Deputy Police Chief, confirmed to Forum 18 that Rajapov and Kurbonov were being imprisoned by the police in Termez. "We will be free them after one day," he claimed to Forum 18 on 29 April.

Deputy Police Chief Sodikov refused to state why the Protestants were arrested, but said that they were not under 15-day arrest. He then refused to speak further to Forum 18.

Termez City Court officials initially refused to speak to Forum 18 on 28 April. Eventually a court official referred Forum 18 to Judge Oktam Khalikov, the Court's Chair. The official who answered that phone said that he was Judge Khalikov. But when Forum 18 asked about the case, the official then claimed: "I am actually Judge Khalikov's assistant and I do not know about the case." Asked what the families of the arrested Protestants should do, the official said, "I do not know what to say." He then hung up the phone.

Rajapov was among local church members fined 50 times the minimum monthly wage, for exercising their freedom of religion or belief in October 2007 (see F18News 30 November 2007 http://www.forum18.org/Archive.php?article_id=1055).

No warning arrests and jailings

The arrest and jailing of the two Protestants came as a surprise for the members of the Protestant Church, and the prisoners of conscience's families and friends.

A local Protestant told Forum 18 on 28 April that the arrest and imprisonment of Rajapov and Kurbonov was unexpected, as there was no prior warning or summons to a court. Both men left home by car on the morning of 23 April. The first news of their imprisonment was when one of the two men had a very short conversation with his wife, after 5 pm, saying they were both imprisoned and asking for his car to be collected from Termez Police Station.

Pressure on other church members

Members of the Protestant Church in nearby Sherabad and Jarkurgan are known to have been put under strong police pressure to write statements against Rajapov, a local Protestant confirmed to Forum 18.

Media attack

On 24 March, one month prior to the imprisonments, the government-sponsored Press-uz.info news agency published an article entitled "Like pastor, like flock" attacking Rajapov and the Protestant Church. "Chori Eshmurodov", the author of the article, claims that he is a former church member. Media articles have been used before by the authorities to attack people exercising their freedom of religion or belief (see F18News 16 February 2010 http://www.forum18.org/Archive.php?article_id=1409).

Rajapov is said to have "enticed" the author by "promising him material help and happiness," which he ultimately did not get. "They [Rajapov's family] have two cars, a house in Termez and are building a shop in Termez. I also heard that they have bought two houses in a central area in Tashkent, in one of which his parents and brother Anvar are living. Anvar also has a car, and like his brother he is a leader in a large Pentecostal community. He receives large financial support for winning young students into the ranks of his church. I thought that I also would soon become rich like them, but it never happened."

The author alleges that "Azamat [Rajapov] receives tens of thousands of US dollars for spreading his faith in the region and for helping out new Uzbek converts. I talked to many new converts who denied to me that they, just like me, have ever received any money from Azamat. I understood that he is not only deceiving me and others, but also his sponsors by appropriating money given by foreigners," the article claims. It then goes on to attack other named members of the Church for "unregistered activity" and claims that "I decided to publish my confession because I want people to read this and not believe crooks like Rajapov".

Local Protestants strongly reject the article's allegations. One Protestant described the claim of Rajapov receiving huge funds from abroad as "a ridiculous lie." Another Protestant denounced the article as "a lie against Azamat".

Neither Protestant had ever heard of "Chori Eshmurodov", the author named by Press-uz.info. "No-one in our Church knows any such person of this name or like the author of the article," one told Forum 18.

Press-uz news agency would not speak to Forum 18 on 29 April, asking Forum 18 to ring back in one hour. When Forum 18 called again, nobody answered the telephone. The Uzbek mass media is often used by the authorities to encourage intolerance of minority religious communities and freedom of religion and belief (see F18News 22 February 2010 http://www.forum18.org/Archive.php?article_id=1411).

Torture threats against women

Women (and occasionally men) detained to punish them for exercising their freedom of religion or belief by the police or National Security Service (NSS) secret police can be targeted by male officials with overt or implied threats of sexual violence. Forum 18 notes that it is very unusual for male and female victims to want to document their experiences publicly, for fear of state reprisals, because of the traumatic nature of their experiences, and because of strong social pressures against women in particular speaking out about male violence. In addition, cultural traditions of "honour" can destroy a woman's good name if she is known to or thought to have been the victim of sexual violence or even if she has been alone – for example overnight - with male police officers who are unrelated to her.

In a not untypical incident in 2010 in a part of Uzbekistan not indicated in this or recent Forum 18 articles - the month, location, belief involved and details of which are confidential - female religious believers detained during a police raid were threatened with having their clothes forcibly removed, being tortured with electricity, and then pictures of them being raped by male criminals being made public.

The UN Committee Against Torture found in November 2007 that the use of torture by state officials is "routine" in Uzbekistan. Torture and threats of its use continues against people of all faiths (see eg. F18News 9 March 2010 http://www.forum18.org/Archive.php?article_id=1418).

Criminal charges threatened again

In yet another incident, Colonel A. Sirojiddinov, head of the police in Almalyk [Olmaliq] near Tashkent, has continued to threaten religious believers by letter with criminal prosecution for exercising their religious freedom (see F18News 21 April 2010 http://www.forum18.org/Archive.php?article_id=1433).

In a letter dated 16 March but received on 25 April, a letter Forum 18 has seen, Colonel Sirojiddinov threatened Sergei Zarubin, a member of an unregistered Protestant Church in Almalyk. "If you repeat the same violation [unregistered religious activity] in future, I warn you that you will be brought criminal charges against under Uzbekistan's Criminal Code's article 244 part 3," the letter declares.

As in his earlier letter dated 13 March to a local Baptist, as Article 244 part 3 does not exist it appears that Police Colonel Sirojiddinov may mean Article 244-3 ("illegal production, storage, import or distribution of religious literature"). Zarubin, along with six others, was in September 2009 convicted for unregistered religious activity (see F18News 17 September 2009 http://www.forum18.org/Archive.php?article_id=1349).

Attempts to reach Colonel Sirojiddinov and his Deputy Hikmatov on 29 April were not successful, as their telephones went unanswered.

Police Colonel Sirojiddinov's letter is – like his earlier letter - "confusing", a human rights defender, who for fear of state reprisals wished to remain unnamed, told Forum 18 on 29 April. "Article 244 has only one part and punishes mass riots," he noted. However, the human rights defender stated, Article 244-3 – which the Colonel may mean - punishes "illegal production, storage, import or distribution of religious literature" with fines of between 100 and 250 times the monthly minimum salary, or correctional labour for up to three years. (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all 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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