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UZBEKISTAN: 15-day jail terms, large fines, literature destruction follow raid

By Felix Corley, Forum 18

Uzbekistan has continued short-term jailings of religious minorities, with three Protestant Christians from a registered church today (18 May) being given 15 day jail terms, Forum 18 News Service has learnt. Three other Protestants – arrested after a raid on the Tashkent church - were each fined 80 times the minimum monthly wage, and two other Protestants were fined five times the minimum monthly wage. Six computers seized during the raid were ordered to be given to the state, and seized Christian literature ordered destroyed. "Everyone was shocked at the verdict because the defendants proved in court that they were innocent and there were so many violations of legal procedure," one Protestant told Forum 18. Unusually the court sat into the evening and the sentences were given at about 10.30 pm local time. Among other recent punishments for "illegal" religious literature, one Baptist has been fined 20 times the monthly minimum wage and his religious literature – including the New Testament - was ordered to be destroyed.

Three members of the Church of Christ, one of the biggest Protestant churches in the Uzbek capital Tashkent, were sentenced late in the evening today (18 May) to 15 days each in prison, Protestants who asked not to be identified for fear of reprisals from the authorities told Forum 18 News Service from Tashkent. Also fined at the same trial by Judge Sagdulla Ashirmatov at Tashkent's Mirzo-Ulugbek District Court were five church members. "Everyone was shocked at the verdict because the defendants proved in court that they were innocent and there were so many violations of legal procedure," one Protestant told Forum 18. The Protestant pointed out that - unusually - the court sat into the evening and the sentences were given at about 10.30 pm local time.

The trial followed a massive 16 May raid on the centrally-located Tashkent church. The court ordered that Christian books confiscated during the raid be destroyed. Similarly, an April verdict in the eastern Namangan Region ordered that a New Testament and other confiscated Christian literature seized from a Baptist be destroyed. He was also fined 20 times the minimum monthly wage (see below).

Uzbekistan frequently orders confiscated religious literature to be destroyed (see eg. F18News 30 September 2008 http://www.forum18.org/Archive.php?article_id=1195).

The Tashkent church was raided without a warrant during Sunday worship on 16 May by the Mirzo-Ulugbek District Police, National Security Service (NSS) secret police, Tax Inspectorate, Fire Brigade, and Sanitary-Epidemiological Service. After a five-hour search the police officially sealed the church, preventing the congregation from having further access, and the Fire Brigade cut off the electricity. Eight church members were arrested and held overnight (see F18News 17 May 2010 http://www.forum18.org/Archive.php?article_id=1444).

Held by police until late afternoon on 17 May, the eight were freed from the police station and allowed to make their own way to the court. At an 17 May initial hearing, the church members' lawyers managed to have the eight freed in the run-up to the trial. The eight were told to come to the court for the trial in the afternoon of 18 May. The first two afternoon hearings were open, but the third was closed to the defendants' family and church members.

Many charges

Prosecutors levelled many charges at the eight church members under the Code of Administrative Violations.

The church's Assistant Pastor, Artur Avanesyan, was accused of violating Articles 184-3 ("production, storage or distribution of works promoting national, ethnic, racial or religious hatred"), 194 ("refusal to fulfil legal demands of a police officer"), 201 ("violating the procedure for organising and conducting gatherings, meetings, street processions and demonstrations"), 202 ("creating the conditions for conducting unapproved gatherings, meetings, street processions and demonstrations"), 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").

Nargiza Babaeva was accused under Articles 184 ("preparation or storage with the aim of distribution of materials representing a threat to social security or social order"), 194, 195 ("resisting the police officers in carrying out their duty"), 201, 202, 240 and 241.

Elizaveta Son was accused under Articles 184-3, 194, 195, 201, 202, 240 and 241.

Anush Avakyan, Elvira Ravilova, Vyacheslav Dechkov and Irina Kim were accused under Articles 194 and 195. Also accused was Bahodyr Adambaev.

The three men, Avanesyan, Dechkov and Adambaev, were given 15 day sentences and detained immediately.

Babaeva, Son and Kim were each fined 80 times the minimum monthly wage 3,014,400 Soms (11,280 Norwegian Kroner, 1,464 Euros or 1,804 US Dollars at the inflated official rate). Avakyan and Ravilova each received fines of five times the minimum monthly wage, or 188,400 Soms (705 Norwegian Kroner, 92 Euros or 113 US Dollars at the inflated official rate).

The judge ordered that six computers seized during the raid be handed to the state.

Revived use of short-term imprisonment

The three 15-day sentences are part of a continuing pattern of short-term imprisonments.

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 their religious activity. The short-term jailings appear to have abruptly stopped in November 2009, but re-started in February 2010, with three further such sentences in April. Much longer jail terms are given to Muslims the authorities prosecute for religious activity (see F18News 26 April 2010 http://www.forum18.org/Archive.php?article_id=1436).

Two Protestants in the southern Surkhandarya Region, Azamat Rajapov and Abdusattor Kurbonov, were found guilty on 23 April of breaking Administrative Code Articles 240 Part 1 ("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. Rajapov was given 15 days' imprisonment and Kurbonov 10 days (see F18News 29 April 2010 http://www.forum18.org/Archive.php?article_id=1438).

The two were freed in early May after being held in separate cells. They intend to appeal against their sentences, local Protestants have told Forum 18.

Surveillance follows completed sentences

However, local Protestants expressed concern that immediately after his release, Kurbonov was summoned by the local NSS secret police, who held him until soon after midnight and tried to pressure him to collaborate with them. "We feared he had been arrested again," one Protestant told Forum 18 on 8 May.

The Protestant added that both Rajapov and Kurbonov are under close surveillance. An official even told one of the two that such surveillance would be constant. "Your Christianity is like a bomb!" he warned him.

Large fine and more literature – including New Testament - destroyed

Among other recent punishments for "illegal" religious literature, Odil Salijonov, a member of a Council of Baptist congregation in the town of Khalkabad in Pap District of Namangan Region of eastern Uzbekistan was fined and his religious literature was ordered destroyed, according to the court verdict seen by Forum 18.

Trouble began for Salijonov on 28 February, when police in the village of Iskavut in Pap District detained him and fellow-Baptist Nikolai Zulfikarov for offering Christian literature to local residents, local Baptists told Forum 18. Police officer M. Rustamov drew up a confiscation record for the books, then lined them up on the table and photographed the two Baptists by the books. Officers told the two that the books would be returned after they were checked, but refused to give them a copy of the confiscation order.

On 1 March the head of Pap District Police, Major A. Hakimov, asked for an "expert analysis" of the books from Professor Mamasharif Nishanov, of the Department for the Theory and Practice of the Building of a Democratic Society in Uzbekistan of Namangan State University. Such alleged "expert analyses" are routinely used as an excuse to confiscate any book the authorities decide to confiscate (see eg. F18News 20 May 2009 http://www.forum18.org/Archive.php?article_id=1298).

Judge O. Mirzamahmudov of Pap District Court found Odil Salijonov guilty on 17 April of violating Article 184-2 of the Code of Administrative Offences ("illegal production, storage, import or distribution of religious literature"). He was given the minimum fine under the Article: 20 times the minimum monthly wage, 753,600 Soms (2,820 Norwegian Kroner, 366 Euros or 451 US Dollars at the inflated official rate).

The verdict named the six titles to be destroyed, which included the New Testament and "Herald of Truth", the Russian-language magazine of the Baptist Council of Churches, to which Salijonov belongs.

As soon as Forum 18 asked Major Hakimov of Pap District Police about Salijonov's case on 17 May, he put the telephone down.

Local Baptists called for the fine to be overturned and the confiscated books to be returned.

Zulfikarov was sentenced in November 2007 for "illegal religious teaching", with 20 per cent of his earnings to be deducted by the state, but was freed under amnesty in December 2007. Salijonov was questioned as a witness in the case (see F18News 16 January 2008 http://www.forum18.org/Archive.php?article_id=1071).

Was "expert analysis" legal?

The two-page "expert analysis" of the books confiscated from Salijonov – seen by Forum 18 – was signed on 23 March by Professor Nishanov and presented to the court. He said no permission had been received from the state to print and distribute the New Testament, "Herald of Truth" and several Christian booklets and that therefore such distribution violates the Religion Law. He said their distribution "serves the aims of religious organisations which propagate Christianity without official permission and develops wrong religious concepts among the population, especially the youth".

Protestants complained to Forum 18 that the preparation of the "expert analysis" by a university department violates a Cabinet of Ministers decree of 24 April 2004, which allows only the government's Religious Affairs Committee to conduct such analyses. However, this decree is frequently violated.

As well as Zulfikarov's case, another example of an illegal "expert analysis" was seen in the March 2007 trial in Andijan [Andijon] of Protestant pastor Dmitry Shestakov (see F18News 27 March 2007 http://www.forum18.org/Archive.php?article_id=936). Uzbek courts frequently order confiscated religious literature to be destroyed (see eg. F18News 30 September 2008 http://www.forum18.org/Archive.php?article_id=1195).

Professor Nishanov admitted that he had signed the "expert analysis", but claimed he could not remember its content. "We're producing such expert analyses all the time," he told Forum 18 on 17 May. "There's a commission – we have a laboratory in our department of eleven experts, including in law and other areas."

Asked why he had issued an "expert analysis" that led to the confiscation and court-ordered destruction of an individual's religious books, Professor Nishanov responded: "It's not my responsibility – it's the investigators and courts who decide." He warned that religions which get involved in politics are breaking the law, as are individuals who teach their faith to children. He was unable to say how his views related to Salijonov's case. (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>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY