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UZBEKISTAN: Rehabilitation Centre suspended, leaders under criminal investigation

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

About 20 residents of a Protestant-run drug and alcohol rehabilitation centre in Uzbekistan's capital Tashkent were driven out during a 31 May Police, secret police and Tax Office raid. Officials confiscated religious literature, office equipment and money before sealing Shelter Rehabilitation Centre. An employee who taught metal-working to residents, Pyotr Tikhomirov, was fined for "illegally" storing religious literature "posing a threat to the peace and security of the population". Criminal cases were opened against him and the Centre's founder, Vladislav Sekan, for allegedly not paying taxes on wages, not having a cash-register and exploiting residents by not paying them for clearing up after themselves. "For twelve years of its work, large numbers of drug and alcohol addicts were freed from their harmful habits and restored to normal life in the Rehabilitation Centre," Sekan told Forum 18 News Service. Anti-Terrorism Police Officer Jabbor Rizkulov, who led the May raid, refused to explain to Forum 18 why the Centre had been raided or exactly what charges were brought against Tikhomirov and Sekan. Prosecutor's Office Investigator Sarvar Akhmedov refused to give Forum 18 details of the investigation or say when it will be completed.

Police, National Security Service (NSS) secret police and Tax Office officials forcibly closed the Protestant-run Shelter Rehabilitation Centre in Uzbekistan's capital Tashkent during a 31 May raid, driving out about 20 residents and sealing the building, Protestants told Forum 18 News Service. Criminal cases were opened against the centre's founder, Vladislav Sekan, and an employee who taught metal-working to residents, Pyotr Tikhomirov.

They appear to be under investigation for not paying taxes on wages, not having a cash-register and exploiting the Centre's residents by not paying them for clearing up after themselves. They deny any wrongdoing and insist their only goal was to help people in need.

"For twelve years of its work, large numbers of drug and alcohol addicts were freed from their harmful habits and restored to normal life in the Rehabilitation Centre, but it was suspended by the authorities because of the criminal investigations," Sekan lamented to Forum 18 on 22 September.

Anti-Terrorism Police Officer Jabbor Rizkulov led the May raid on Shelter in Tashkent's Khamza District and a subsequent raid on Sekan's home. He confirmed the Police raids to Forum 18 on 22 September but refused to explain why they had been launched or exactly what charges were brought against Tikhomirov and Sekan. "Please send us a letter," was all he would say. He declined to talk to Forum 18 further.

Asked exactly what charges were brought against the two, Khamza District Prosecutor's Office Investigator Sarvar Akhmedov told Forum 18 on 22 September: "The investigation is still going on and I can't give you any details of it since it is a secret." He also refused to say when the investigation will be completed. Told that fellow Protestants see the cases as Prosecutor's Office pressure on the community, Akhmedov insisted that the case "was actually opened by a Court". He again refused to give details and declined to talk further to Forum 18.

"Intent on imprisoning me"

Sekan, who left Uzbekistan in June after his family and Church members warned that the authorities are "intent on imprisoning me", remains abroad with his wife and their nine children, who joined him later. He explained to Forum 18 that all the recent cases against him and Tikhomirov were officially brought because of the Shelter Rehabilitation Centre, which he founded in 2002. Sekan is an elder and Tikhomirov a member of Tashkent's Full Gospel Presbyterian Church.

Sekan told Forum 18 that while he had founded the Centre, he was not engaged in its day-to-day operations. He believes the real reason for the criminal prosecution was to "neutralise me by either putting me in prison, bringing me into disrepute or making me leave Uzbekistan because of my religious activity". He stressed that he had recently been trying to unite various Protestant Churches in an alliance. "I guess this really worried the authorities, since they would not like to have an alliance of Churches which could have a strong voice."

Raids and Rehabilitation Centre suspension

Trouble began on 31 May, when two groups of officials of law-enforcement agencies including Anti-Terrorism Police led by Rizkulov raided the Rehabilitation Centre, Sekan told Forum 18. They searched the premises, seizing office equipment and Christian literature. They also confiscated the money in the safe – which according to Sekan was "not a significant amount" of Uzbek Soms, as well as 760 US Dollars. After forcing out the residents and employees, officers sealed the Centre and left.

The confiscated religious books were then used to bring an administrative case against Tikhomirov. On 19 June, he was punished at Khamza District Criminal Court under Administrative Code Article 184-2 (illegal production, import, storage or distribution of religious materials) for "illegally" storing religious literature at the Centre. Judge Zafar Nurmatov fined him 50 times the minimum monthly wage or 4,805,250 Soms (13,000 Norwegian Kroner, 1,600 Euros or 2,000 US Dollars at the inflated official exchange rate), according to the verdict seen by Forum 18.

In his decision, Judge Nurmatov asserted that "religious materials posing a threat to the peace and security of the population were illegally stored" at the Centre.

Judge Nurmatov's decision notes that the NSS secret police and Tashkent City Tax authorities were also involved in the 31 May raid.

All religious literature in Uzbekistan is under tight state censorship. Police and NSS secret police officers frequently seize any religious literature they find in raids – including copies of the Koran and Bible. Courts regularly fine individuals for owning literature and order such literature destroyed (see F18News 18 September 2014 http://www.forum18.org/archive.php?article_id=1998).

Judge Nurmatov is "on an academic assignment in Japan, but anyway could give no comments on the case," Anvar Khusanov, Chair of Khamza District Criminal Court, told Forum 18 on 23 September. He added that he would not do so either. Asked why the Rehabilitation Centre was raided, why the authorities are collecting all religious literature from believers and even such books as Bibles and Korans, and why the authorities punish individuals simply for keeping their religious books outside officially registered organisations, Judge Khusanov responded: "Who said that?"

When Forum 18 told him that it has documented numerous such cases over many years, the Judge sounded agitated. "I explained clearly to you that you can only correspond with us through the Supreme Court," he declared and then put down the phone.

Tax Department fine

Later in June, Tikhomirov received a notification, signed on 18 June by K. Salakhov, Chief of Khamza District Tax Department, that the Tax Department had fined him 3,963,150 Soms (10,000 Norwegian Kroner, 1,300 Euros or 1,600 US Dollars at the inflated official exchange rate). The document, seen by Forum 18, claims he had violated the Tax Code by paying salaries totalling 4,800,000 Soms to his three employees and making a regular payment of 600,000 Soms to the Rehabilitation Centre without using a cash-register.

The notification warns that unless Tikhomirov pays the fine within six months from the date the notification was issued, the Tax Department will file a case to Court, as provided for under Tax Code Article 104.

Fellow Protestants insisted to Forum 18 that Tikhomirov did "not pay salaries to the residents to whom he was teaching his craft," and that "we don't know where the Tax officials took those figures."

Criminal cases

Khamza District Prosecutor's Office opened criminal cases against Sekan and Tikhomirov in June under Criminal Code Article 189 (large-scale violation of the regulations of trade or of service-provision), Sekan complained to Forum 18. Maximum punishment under Article 189 is two years' corrective labour.

The authorities also brought charges against Sekan under Criminal Code Article 135 (engagement of people for exploitation), which carries a maximum punishment of eight years' imprisonment. "But it looks like they've dropped these charges for now," he added.

Anti-Terrorism Police led by Rizkulov also raided Sekan's home with a search warrant on 19 June in his absence. Officers seized Sekan's computer and Christian literature. They told his wife that a criminal case had been opened against him and a warrant issued for his arrest.

Anti-Terrorism Police later questioned the employees and residents, some of whom "under pressure wrote statements against me and the Centre, that we exploited their labour and paid them salaries on which we did not pay taxes," Sekan told Forum 18.

Why were cases brought?

Prosecutor's Office Investigator Akhmedov notified Tikhomirov in August that he would interrogate him, but has not done so to date. In early September, Investigator Akhmedov interrogated Vladimir Alekseyev, former Director of the Centre, fellow Protestants told Forum 18 from Tashkent. Among other questions, Akhmedov asked him why the Centre handled cash without a cash-register.

On 23 September, Khamza District Tax Department officials came to Tikhomirov's home to inspect his business activity, fellow Protestants who asked not to be identified for fear of state reprisals told Forum 18 from Tashkent the following day. The officials "questioned him and examined all his papers and permissions to work as a craftsman." The tax officials told Tikhomirov that their action came on the instruction of the District Prosecutor's Office.

The Protestants complained that the Prosecutor's Office is "trying to fabricate the cases but has not so far succeeded in it." They said that in the case against Sekan it "tried to indict him with two charges for exploiting people but at the same time alleging that he paid them salaries without paying taxes." They asked Forum 18 "how is possible to exploit people if you are paying normal salaries as the authorities claim?"

They insisted that the Prosecutor's Office is "entangled in its own fabrication". They noted that it appears to have filed a suit in Tashkent City Economic Court to open a tax violation case. They pointed out to Forum 18 that Elbek Gayipov, an official of Khamza District Tax Department, already questioned Tikhomirov about why he received payments in cash and worked without a cash-register.

Pressure to incriminate Sekan and Tikhomirov

Sekan told Forum 18 that based on the information he has received from fellow Church members during the preliminary Police investigation, Khamza District Anti-Terrorism Police "forced some former residents who were in the Centre some two years ago to write statements that the Centre made them work but did not pay them allowances." He added that Tikhomirov was also "pressured by the Police to write a statement where he admitted that he received payments in cash from clients for the items he made, from which he also gave a contribution to the Centre."

One former resident, who asked not to be named for fear of state reprisals, confirmed to Forum 18 on 22 September that the Anti-Terrorism Police also threatened him to write a statement incriminating Sekan and Tikhomirov. He declined to give any details of his questioning for fear that the Police could find out his identity.

Cash register required?

The Centre's residents were given shelter and fed three times a day. "For what should we pay them? For preparing food for themselves and cleaning up after themselves?" Sekan asked. He noted that some of the residents also learned metal-working skills at the Centre's workshop. "This would help them in future to provide for their families."

Sekan defended Tikhomirov and himself against the charges that they violated regulations of trade or service-provision. He said that Tikhomirov "indeed paid the Centre through a bank for renting its machines and appliances but I was not involved in it since I am only a founder of the Centre without being involved in its financial affairs." He added that Tikhomirov had the right to work without a cash-register.

A Government Decree of 17 November 2011 allows certain categories of craftsmen – including metal workers - to receive cash payments without using a cash-register. Tikhomirov since May 2011 repeatedly was authorised to work as a metal craftsman, with his latest authorisation valid until June 2015 (Forum 18 has seen those permits). Sekan said that Tikhomirov also received a specific permit to work without a cash-register, which was taken away from him during the raid.

Asked why the Tax authorities questioned Tikhomirov and whether or not he had the right to work without a cash-register, Sirojiddin Umarov, Head of Khamza District Tax Department's Investigations Division, told Forum 18 on 22 September that "Gayipov only made a cash-register control of Shelter [Rehabilitation Centre], and is no longer working in the tax organs." He referred Forum 18 to Shukurullo Suleymanov, Head of the Inspectorate's Section responsible for cash register issues. "You need to clarify your questions with him."

Told about the Government Decree and special permission allowing Tikhomirov to work without a cash-register, Suleymanov on 22 September dismissed Forum 18's questions. "I will not comment on this document [the Decree]," he responded. "It is the duty of the organ which adopted it to do so." Asked why charges were brought against the two, including against Sekan, who was only the Centre's founder, he said that the tax authorities' investigation was begun by a decision of Tashkent City Economic Court. Suleymanov refused to say which organ complained to the Court or give any other details of the case.

An official (he refused to give his name) of Tashkent City Economic Court, who answered the Chairman's telephone on 23 September, confirmed to Forum 18 that the case had been brought against the Rehabilitation Centre. But he refused to give the

reasons for it or any details of the case. "If they are unhappy with it they can complain about it to higher authorities," he insisted. Telephones at the Court Chancellery went unanswered on 23 September. (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=1862.

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.

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