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UZBEKISTAN: "Aren't you exaggerating by saying he was detained?"

By Mushfig Bayram, Forum 18

Tashkent Regional Customs Department held Kazakh citizen Boris Prokopenko for two days in mid-March after discovering religious materials on electronic devices as he entered Uzbekistan, fellow Baptists complained to Forum 18 News Service. Freed after an "expert analysis" found nothing "extremist", he still faces administrative prosecution. "Aren't you exaggerating by saying he was detained? He was only staying with us temporarily since we were waiting for the expert analysis from the Religious Affairs Committee," Chief Customs Inspector Tahir Nasirkhodjayev told Forum 18. He denied any violation of Prokopenko's rights, as "we only enforce the Law, which demands us to stop and clarify what kind of religious materials people carry with them". Six Muslims were fined after being stopped in December 2015 for carrying "illegal" religious materials on their mobile phones, customs officials told Forum 18. Such punishments are part of the rigid control of religious materials entering and being transported within the country on mobile phones, tablets, personal computers, memory sticks and other electronic devices and media. At least two Muslims are serving five-year prison terms for the Koran and sermons in their mobile phones.

Uzbekistan continues its rigid control of religious materials entering and being transported within the country on mobile phones, tablets, personal computers, memory sticks and other electronic devices and media, Forum 18 News Service notes. This control parallels the control of printed and other religious materials. Uzbek Customs officials on 13 March stopped a Baptist from neighbouring Kazakhstan, Boris Prokopenko, at a border-crossing between Uzbekistan and Kazakhstan, for carrying religious materials on electronic devices. Officials kept him for two days at Tashkent Regional Customs Department. They released him after opening an administrative case against him.

Meanwhile, six Muslims were fined after being stopped in December 2015 for carrying "illegal" religious materials on their mobile phones, Tashkent City Customs Department told Forum 18 on 10 March. Officials refused to give specific details of any of the cases (see below).

Forum 18 tried to find out whether it is legal or illegal for individuals to have religious material in electronic devices and why individuals are punished – often severely – if they do. However, the state Religious Affairs Committee in Tashkent refused to discuss the issue and cases with Forum 18.

Artykbek Yusupov, Chair of the Committee, Press-Secretary Shovkat Hamdamov and Sobitjon Nasimov, Chief of the "Expert analysis" Section, all refused to talk to Forum 18 on 16 March. Shukhrat, as he introduced himself, the official who answered the phone of Zulhaydar Sultanov, Chief of the International Relations Section, said that Sultanov is "not available" to talk and that he himself "cannot comment" on the issues since "I am only a volunteer worker".

A January 2014 Cabinet of Ministers Decree on religious literature requires the State Customs Committee and the State Borders Protection Committee (part of the National Security Service secret police) to seize all religious materials being imported. They are to be sent for "expert analysis" by the Religious Affairs Committee. Only if it approves them are such materials allowed to be handed back to travellers (see F18News 12 February 2014 http://www.forum18.org/archive.php?article_id=1928).

Searches, seizures, fines, prison terms

Printed literature, videos and DVDs of religious content have long been subjected to harsh prior compulsory state censorship. Police and secret police officers frequently raid homes and confiscate religious literature from their owners, including Arabic-language Korans, and Uzbek and Russian-language Bibles and New Testaments. Courts frequently order that such confiscated religious literature be destroyed, as happened to Bibles and New Testaments in Tashkent in December 2015. In March 2016, a Christian in Fergana [Farghona] in eastern Uzbekistan was jailed for 15 days after a police search for religious literature (see F18News 18 March 2016 http://www.forum18.org/archive.php?article_id=2159).

The growth in the use of electronic devices in recent years has seen officials devote increasing attention to them. Officials often search mobile phones and other electronic devices in the hunt for religious materials. When they find such content - including holy

books, sermons or religious music - punishments can range from long prison terms (especially when the material is Muslim) to administrative fines.

Prisoner of conscience Zuboyd Mirzorakhimov, a Tajik citizen arrested in Uzbekistan in 2013 for carrying the Koran and Muslim sermons on his mobile phone, is serving a five-year prison term. Also serving a five-year prison term handed down in 2014 is Zoirjon Mirzayev, originally from Fergana. He was arrested at a Tashkent Region train station on returning from Russia to his native Uzbekistan, after customs officials found 29 sermon recordings (see F18News 17 February 2016 http://www.forum18.org/archive.php?article_id=2149).

In 2015 the authorities stopped the import of 50,000 religious materials into Uzbekistan and opened 1,200 cases, the state news agency UzA on 11 January 2016 cited State Customs and other law-enforcement agencies as declaring. "Extremist religious materials were found on mobile electronic devices of many citizens traveling back from abroad," it complained.

Two individuals were stopped at Tashkent airport after religious sermons were found in their phones, while two more individuals were stopped at a train station after materials officials claim were "extremist" were found in their phones (see below).

In another instance, an Uzbek citizen who returned to the country in late 2015 was fined for religious content in a mobile phone, friends told Forum 18, asking that the individual not be identified. Officers had discovered the religious materials when the mobile phone was checked as the individual re-entered the country. An administrative case was prepared and a court fined the individual 30 times the minimum monthly wage, 3,907,200 Soms.

However, when an officer at a regional airport discovered Christian materials in an individual's mobile phone in early 2016, the officer merely deleted the material before handing back the phone, the individual told Forum 18.

Also Police in Samarkand Region in summer 2015 stopped two Jehovah's Witnesses in a park for carrying a tablet device which contained religious materials. A Samarkand Court then fined the two (see below).

Two day detention, administrative case for religious materials on device

On 13 March Uzbek Customs officials stopped Prokopenko, a Kazakhstan citizen, at Gisht-Kuprik border-crossing point between Uzbekistan and Kazakhstan, his fellow Council of Churches Baptists told Forum 18 on 16 March.

Prokopenko, who came to visit Baptist friends in Uzbekistan, was stopped "because customs officials found a leaflet in his pocket during a search. The leaflet had the word Christ on it, and so the officials took him to a separate room, where his luggage was thoroughly checked." Officials then found that the electronic book and memory stick he carried with him had on them Christian materials in Russian.

"Boris was taken from Gisht-Kuprik Station to the Tashkent Regional Customs Department in Tashkent City, and detained for two days," the Baptists complained. Customs officials sent his religious materials for an "expert analysis" at the state Religious Affairs Committee. Officials also opened an administrative case against him.

When they released him on 15 March, officials did, however, return Prokopenko's electronic book and memory stick as he left the Department, the Baptists added.

"Aren't you exaggerating by saying he was detained?"

Tahir Nasirkhodjayev, Chief Customs Inspector of the Department, told Forum 18 that an administrative case was opened against Prokopenko under Administrative Code Article 227-22 for not declaring that he carried with him religious materials. This carries a fine for individuals of five to ten times the minimum monthly wage and confiscation of the items. "But we may confine ourselves to only giving him a warning, since he is not an Uzbek citizen," he claimed.

Asked why his Department detained Prokopenko for two days, Inspector Nasirkhodjayev responded: "Aren't you exaggerating by saying he was detained? He was only staying with us temporarily since we were waiting for the expert analysis of his materials from the Religious Affairs Committee. And then we let him go after we received an answer that nothing extremist was found in his materials."

Asked if he does not think this a violation of Prokopenko's rights, Inspector Nasirkhodjayev replied: "No, because we only enforce the Law, which demands us to stop and clarify what kind of religious materials people carry with them." Asked whether he does not think the controls on religious literature enshrined in the Religion Law and the Cabinet of Ministers Decree violate the rights of individuals, he referred Forum 18 to the state Religious Affairs Committee. He refused to discuss the issue further.

Cases for religious sermons in mobile phones

After searching the mobile phones of I. Khamidov and M. Salimov, two passengers arriving from Ufa, Customs officials at Tashkent airport discovered respectively ten and thirty "illegal" religious sermons on various topics, state-controlled news agency UzA on 11 January cited State Customs and other law-enforcement agencies as declaring. Cases were opened against the two. UzA did not say when the incident occurred or whether the cases were administrative or criminal.

Asked what charges were brought against Khamidov and Salimov, officials of Tashkent City Airport Customs (no names were given) on 10 March referred Forum 18 to its Investigations Department. Investigator Ilhom (who did not give his last name) told Forum 18 the same day that Chief Investigator Akmal Jalilov was "not available at the moment" and asked it to call back in 30 minutes. Called back, the same officer told Forum 18: "Even if we are investigating the cases, we cannot inform you over the phone. Please send us a letter."

"Importing into Uzbekistan illegal religious materials on electronic devices"

Two individuals returning to Uzbekistan from Russia – identified as F. Bekmatov and Sh. Odilov - were stopped by customs officials at Keles train station in Tashkent, UzA also reported. Bekmatov was travelling from Moscow and Odilov from Ufa. Searches "revealed extremist religious video materials on the mobile phone propagating violence".

UzA did not identify the video materials, so it is impossible to find out whether the materials were indeed violent or not.

Cases were opened against both Bekmatov and Odilov. UzA did not say when the incident occurred or whether the cases were administrative or criminal.

Asked what charges were brought against Bekmatov and Odilov, Keles Station customs officials, who would not give their names, refused to discuss the cases. They referred Forum 18 on 10 March to Tashkent City Customs Investigations Department.

Asked about the cases against all four men, Shavkat Salihov, Chief of Tashkent City Customs Investigators, claimed to Forum 18 on 10 March he could not find "such names or such cases". However, he admitted that "six cases were opened in December 2015 for importing into Uzbekistan illegal religious materials on electronic devices". Salihov declined to give any names or more specific details of the cases but said that all cases were administrative and the punishments consisted of fines.

Asked whether he does not think the censorship is a violation of the rights of travellers, Salihov referred Forum 18 to the Religious Affairs Committee. "We as Customs organs only enforce the Law, and the Law makes the Religious Affairs Committee responsible for the import of any religious materials into the country. They must give their prior consent to any import."

Fined for religious materials in tablet device

On 2 July 2015, Judge O. Mannatov at Kattakurgan City Criminal Court of Samarkand Region punished two local Jehovah's Witnesses, Galina Podtikhova and Nilufar Bulatova, for carrying religious materials on their tablet device in a local park, Muzaffar Azykulov of the Court Chancellery told Forum 18 on 14 March 2016. Each was fined ten times the minimum monthly wage, 1,184,000 Soms, under Administrative Code Article 184-2.

Asked why the Court fined the two, Azykulov told Forum 18: "Police found religious materials on their tablet device." Asked why individuals cannot carry an electronic device containing religious materials on the street without committing an "offence", he refused to say. He also refused to put Forum 18 through to any other Court officials.

The two women appealed against the fines, but Samarkand Regional Court rejected these appeals on 23 July 2015.

The Police had stopped the two women in the park on 22 June 2015 after noticing that they carried a tablet device, Samarkand Regional Administration's official newspaper "Samarkand Herald" reported on 23 January 2016.

Shukhrat Anorov, the author of the report, described the Jehovah's Witnesses as "sectarians" whose "activity was stopped" by the Police. He attacked the Jehovah's Witness organisation saying that it is "aiming at enslaving the conscience of man". The report said that the tablet device was "confiscated for the benefit of the state by the Court decision," and that "illegal religious materials were stored on it". (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 is at http://www.forum18.org/Archive.php?article_id=1351.

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