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UZBEKISTAN: Punished for religious books at home

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

Stanislav Kim was given two years' corrective labour in Urgench for having religious books at home, something the authorities punish as "illegal". He must live at home under restrictions with a fifth of his wages seized by the state. Courts often order such religious literature destroyed.

A Baptist from Urgench [Urganch] in the north-western Khorezm Region has been punished for a second time within a year for having Christian books at home, which state officials regard as "illegal". As this was a second punishment, Stanislav Kim was convicted under the Criminal Code, receiving a two-year corrective labour sentence.

A Presbyterian Christian in the capital Tashkent was fined in May for having religious literature at home. The Christian literature was ordered to be handed to the state-backed Muslim Board (see below).

In Surkhandarya Region, four Baptists were punished for religious literature confiscated during an illegal house search. Two Bibles, as well as other books and discs, were ordered destroyed. Officials claimed one book was banned because it could be used to spread a faith. They also claimed Baptists are banned in the Region because they do not have state registration (see below).

In Zarafshan, a Baptist pastor and his wife were fined for Bibles and Baptist song books seized from their home (see below).

And in a district of the capital Tashkent, police arrested four men in a taxi, confiscating a book a government "expert analysis" stated was permitted. Adventist Pastor Andrei Ten was later shown a second "expert analysis" banning the book and fined 100 times the minimum monthly wage, the other three being each fined five times the minimum monthly wage (see F18News 4 October 2016 http://www.forum18.org/archive.php?article_id=2221)

Religious literature in homes "illegal"

The eight individuals are among many punished for having personal religious literature in their homes. The authorities regard such possession of religious literature as "illegal".

Police and National Security Service (NSS) secret police officers often seize such literature when they raid individuals' homes. Following administrative or criminal prosecutions, courts frequently order that such literature – including scriptures of a variety of faiths – be destroyed (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Officials have in the past insisted that religious literature cannot be kept outside state-registered places of worship of state-registered religious communities. In addition, under Uzbekistan's religious censorship, all religious literature produced in or imported into the country must be approved by the Religious Affairs Committee in Tashkent (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Shovkat Khamdamov, Press Secretary of the Religious Affairs Committee, refused to tell Forum 18 on 27 September why individuals cannot keep their own religious literature at home without fear of punishment. He referred Forum 18 to Begzod Kadyrov, Chief Expert of the Committee. Khamdamov also refused to answer Forum 18's other questions, and put the phone down.

Phones of Kadyrov and other officials of the Committee went unanswered on 27 September.

Urgench: Criminal punishment for religious literature at home

On 26 August Judge Alisher Kahharov of Urgench City Criminal Court sentenced Stanislav Kim to two years' corrective labour for having "illegal" Christian literature in his home, according to the decision seen by Forum 18. The Judge convicted him under Criminal Code Article 244-3. Under the sentence, Kim will live at home under restrictions and one fifth of his wages will be seized by the state.

Article 244-3 punishes "The Illegal production, storage, or import into the territory of Uzbekistan with the purpose to distribute or distribution of religious materials, committed after enforcement of an administrative penalty for a similar violation" with a fine of 100 to 200 times the minimum monthly wage or corrective labour for up to three years.

Kim is a member of a Baptist Council of Churches congregation. Such congregations choose not to seek registration from the state, insisting that they should not require state permission to meet for worship.

Kim told Forum 18 on 15 September that unless the appeal court cancels the decision he will have to find official employment, and on top of other taxes pay 20 per cent from his salary to the State as fines.

Kim filed an appeal to Khorezm Regional Criminal Court on 15 September. "I know that under the Religion Law you must get permission from the authorities for each separate religious book, but two years of paying fines to the State is too harsh punishment simply for keeping my Christian books at home," he lamented to Forum 18.

The Secretary of Judge Kahharov (who did not give her name) several times claimed to Forum 18 that the Judge was busy and could not answer the phone. Finally, on 26 September she told Forum 18 that "You cannot" talk to Judge Kahharov, and put the phone down. Subsequent calls to Kahharov's number the same day went unanswered.

Dilmurod Ochilov, Chief of Urgench Court's Chancellery, told Forum 18 on 26 September Kim was "punished for storing illegal religious literature". Asked why Kim was criminally prosecuted simply for keeping his Christian books in his home, Ochilov put the phone down. Subsequent calls to him on the same day went unanswered.

Urgench: Religious literature seized from home

The punishment followed an ordinary police and NSS secret Police raid on Kim's home in Urgench on 17 May. Officers confiscated Bibles and other Christian books, including one called "Alone to Mecca", a biography of a former Muslim who became a Christian (see F18News 28 June 2016 http://www.forum18.org/archive.php?article_id=2192).

Urgench: Criminally prosecuted for similar "violation" within year

The Court decision (seen by Forum 18) says that Kim was prosecuted under the Criminal Code since he had already been punished within a year for "illegally" having Christian literature in his home.

Kim had been fined in August 2015 10 times the minimum monthly wage, 1,184,000 Soms, under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). That fine followed a raid on his home the previous month (see F18News 6 August 2015 http://www.forum18.org/archive.php?article_id=2087).

Urgench: Confiscated Christian literature to be handed to Muslim Board

Judge Kahharov with the August 2016 decision ordered the destruction of one of the books confiscated from Kim's home, "Alone to Mecca". The Judge ordered that the confiscated Bibles and other Christian books be handed to the Regional Department of the State-sponsored Muslim Board.

Courts frequently order that confiscated religious literature be destroyed (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Tashkent: Administrative punishment for religious books at home

Following a 28 April raid on his home in Sergeli District in southern Tashkent, Presbyterian Christian Aleksandr Ko was fined for having religious books at home, local Protestants told Forum 18. During the raid the police and NSS secret police confiscated Christian books and materials as well as his notebook computer and other electronic devices.

On 23 May Judge Shirzod Yuldashev of Sergeli District Criminal Court fined Ko under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons") 20 times the minimum monthly wage, 2,604,800 Soms. (Large discrepancies exist between the market and official currency exchange rates.)

Surkhandarya: Visit disrupted, Bibles and other Christian materials seized

On 14 May ordinary police and NSS secret police officers raided the home of Bakhtiyor Odinayev in the village of Tortuvli in Denau [Denov] District of the southern Surkhandarya Region. The raid came shortly after two fellow Baptists, Andrei Serin from Tashkent and Mahmud Hakimjanov from Fergana Region, arrived on a visit. Also present was local Baptist Shamsiddin Begmatov.

All four are members of Council of Churches Baptist congregations.

"Roughly one and half hours after we reached Odinayev's home, the local police officer as well as officials of the NSS secret police and other authorities arrived and broke into the flat," Serin complained to Forum 18 on 26 September.

The officials confiscated Serin's and Hakimjanov's personal Bibles and took them together with Odinayev and some of his relatives to Denau District Police.

Surkhandarya: Baptists banned?

At the Police Station, "Anti-Terrorism Police" officer Dilmurod Kurbonov questioned the four. "He warned us that Baptists are banned in the territory of Surkhandarya Region and that we could be arrested," Serin complained.

Later that day, officers brought Odinayev back to his home and searched it. They confiscated several other Christian books and audio-discs. All four were released "late in the evening".

Police returned the passports of Hakimjanov and Serin the next day, 15 May. However, they withheld the passports of Begmatov and Odinayev, telling them that they would be returned only after the case had been heard in Court.

Officer Kurbonov refused to discuss the case with Forum 18 on 26 September. "It was the Court's decision to punish them not mine," he evaded when asked why he raided Odinayev's home and told the Baptists that they are banned in Surkhandarya Region. When Forum 18 insisted and asked why he confiscated the Baptists' Bibles and whether the Baptists are indeed banned in the Region, Kurbonov put the phone down. Subsequent calls to him went unanswered.

Surkhandarya: Fined in their absence

Cases were prepared against Serin, Hakimjanov, Begmatov and Odinayev under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"), Article 240, Part 2 ("Violation of the Religion Law") and Article 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").

The Baptists were summoned to Denau District Criminal Court on 15 August, three months after the raid. When the Baptists told the Court that they had not had time to study the case materials, the Court postponed the hearing. Then four days later, on 19 August, Judge Bakhtiyor Sadullayev heard the case in their absence, Serin complained to Forum 18.

On 7 September Serin, Hakimjanov, Begmatov and Odinayev received Judge Sadullayev's decision by mail, 19 days after the hearing. The Judge had fined each of them seven times the minimum monthly wage, 911,680 Soms.

The decision says that Serin, Hakimjanov, Begmatov and Odinayev "illegally stored religious literature". It also declared that "as members of a non-Islamic religious movement they illegally conduct worship meetings, read books and make comments on them", Serin told Forum 18.

Surkhandarya: Destruction of Bibles and other materials ordered

The decision also records that the 13 Christian books, one magazine and 13 CD-discs seized from the Baptists, including Serin's and Hakimjanov's personal Bibles, were ordered destroyed.

"Under no court decision is the Baptist faith banned in Uzbekistan or in Surkhandarya," Serin pointed out to Forum 18. "This is a flagrant violation of our constitutional rights." He also asked "Why are the authorities destroying Bibles which we purchased from the officially registered Bible Society of Uzbekistan, and which can be legally used in the territory of the country?"

Surkhandarya: Baptist literature "illegal"?

Judge Sadullayev based his decision on two arguments put forth in the "expert" analysis of the religious literature confiscated from the four Baptists provided by the Religious Affairs Committee in Tashkent. This claimed that the "confiscated literature contained the teachings of evangelical Baptists, which is illegal to use in the territory of Surkhandarya Region, since they are not registered there".

The "expert" analysis added that one of the confiscated books, the Biblical book "Proverbs of Solomon" in Uzbek, "can be used for missionary purposes and is therefore banned from importing into Uzbekistan," the Baptists told Forum 18.

"Both charges flagrantly violate constitutional rights to religious freedoms of Baptists and other representatives of the multinational

population of Surkhandarya region," Serin complained, "and are a case of discrimination."

Asked why he ordered the confiscations and destruction of the Bibles and other Christian materials, Judge Sadullayev refused to discuss his decision. "I do not know you, and cannot answer your questions over the phone," he told Forum 18 on 26 September. "Please, come to the Court, and we will talk." He then put the phone down.

On 16 September Serin and his fellow Baptists filed an appeal against the fines to Surkhandarya Regional Court, he told Forum 18.

Zarafshan: Punished for religious literature at home

On 28 July, police and possibly officials from other agencies raided the home of Dmitri Butov and his wife Svetlana Butova in Zarafshan in the central Navoi [Navoiy] Region. Butov is Pastor of a state-registered Baptist Church.

"Six officers of unidentified agencies, two of whom were in police uniforms, at 12:00 noon broke into their flat, and conducted an unauthorised search," local Baptists who asked not to be named for fear of state reprisals told Forum 18 on 24 September. Butov himself was not present, the Baptists added, but his wife was at home during the raid with four children. Officers also photocopied the list of Church members.

On 8 September Judge Utkir Khaidarov, Chair of Zarafshan City Criminal Court, found Butov and his wife guilty under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). Butov was fined 20 times the minimum wage, 2,604,800 Soms. His wife was fined 15 times the minimum monthly wage, 1,953,600 Soms, Baptists told Forum 18.

Judge Khaidarov with the same decision ordered that two Bibles and two Baptist song books confiscated from the couple be handed over to a registered religious organisation, without indicating to which organisation. The Judge ordered that the notebook computer confiscated from them be forfeited for the State's benefit.

Zarafshan Court officials (who refused to give their names) refused to comment on the case on 27 September or put Forum 18 through to Judge Khaidarov. "We do not give comments over the phone," one official said. (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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