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UZBEKISTAN: Shia mosque reopenings blocked, Religion Law passed with no published text

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

Officials have so far blocked Shia Muslims' attempts to reopen mosques in Bukhara with property excuses, and in Samarkand attempts have not been made as "they are afraid of the authorities". Officials have rejected other religious communities' recent applications to exist, or failed to respond. "Nothing has changed," a Protestant church which has applied for registration told Forum 18. Also, the draft Religion Law has been sent for presidential signature, but the regime has not revealed the text of the law it intends to apply to people it rules.

Shia Muslims have nationwide only four registered mosques of their own, two in Bukhara Region and two in Samarkand. The capacity of these mosques is inadequate to meet demand, and on religious festivals worshippers "overflow into the street", a Muslim who remains anonymous for fear of state reprisals told Forum 18.

In Bukhara Region, seven Shia mosques operated from the early 1990s until 2008, when officials closed all but two. "Shia Muslims say that without enough Shia mosques, many Shias - particularly young people - are forgetting Shia traditions and faith," a Muslim explained. Officials closed the five Shia mosques using the excuse that the mosque buildings had no property documents.

As well as Shia Muslims, Jehovah's Witness and Protestant religious communities have had recent applications to exist refused. In many cases the excuse used has been refusals by local authorities to provide documents as part of the complex, time-consuming and expensive application process (see below).

Bukhara Muslims repeatedly state that many Shias would like the five closed mosques to be reopened, to accommodate the demand for more capacity than the currently open mosques can provide.

Local mahallas (district administrations) have allowed the mosque buildings to decay into a state of poor repair. Some have been rented out for use as carpenter's workshops or storage depots. In autumn 2020, Religious Affairs Committee and other officials "clearly said that they will not give permission to exist to a community if buildings where meetings for worship will be held are in poor repair," a Muslim who remains anonymous for fear of state reprisals told Forum 18 (see below).

Shia Muslims in Bukhara District have themselves repaired the Hoji Bahrom Mosque building, which could accommodate up to 200 worshippers, and have collected the details of the 100 founders required by the current Religion Law. However, in early 2021 officials "verbally told community members that unless they repair a separate smaller damaged building that was used by women visiting the mosque, they will not receive permission to use the mosque." Shia Muslims are trying to decide whether to repair or demolish the building, but do not have the funds for either (see below).

Officials have refused to discuss these problems with Forum 18. Kahraman Rasulov, Chair of Khonobod Mahalla which is responsible for two mosque buildings, claimed: "This is our state's internal issue. I cannot talk to you," before putting the phone down (see below).

In Samarkand local Muslims say that Shias face similar problems, but have not approached the authorities about opening mosques as "they are afraid of the authorities and do not want to act independently of the imams of the open mosques". The Muslims described imams as "acting together with the authorities as they were appointed with their endorsement" (see below).

Protestant, Jehovah's Witness, and Catholic religious communities have all had recent applications to exist refused or had no replies to applications. "Nothing has changed," one Protestant church which has applied for registration told Forum 18. It meets for worship in a building, but is afraid that officials could stop this at any moment (see below).

"Churches face a lot of bureaucratic obstacles to overcome when collecting registration documents, as it can take several years before the authorities provide the necessary certificates," another Protestant told Forum 18. "Even when they apply, they still may not receive registration" (see below).

Jehovah's Witnesses' registration applications have been repeatedly refused with various excuses. "Without registration, the Witnesses are not only denied the freedoms of expression, peaceful assembly, and association, but are also denied freedom of religion and belief," they told Forum 18 (see below).

The upper chamber of parliament, the Senate, approved the new Religion Law on 26 June. The new Law was then sent to President Shavkat Mirziyoyev for signature, Senator Batyr Matmurotov told Forum 18 from Tashkent. The President usually signs laws between several days or weeks after the Senate has approved them (see below).

Human rights defenders, religious communities and others in Uzbekistan have not seen any text since August 2020. Members of a wide variety of religious communities and human rights defenders all also told Forum 18 on 29 June 2021 that they have not seen a text of the Religion Law as passed to the President for signature. Senators and Senate staff refused to comment to Forum 18 on 29 June about the content of the new Religion Law, or the way it has been adopted in secrecy (see below).

"The state wants total control and even discussion of the Religion Law is in secret," one human rights defender commented. "This breeds extremism" (see below).

Closing Shia mosques, obstructing Shias exercising freedom of religion and belief

The regime has long been hostile to Shia Muslims exercising their freedom of religion and belief. In April, a Samarkand court fined Shia Muslim Rashid Ibrahimov about two weeks' average wages (https://www.forum18.org/archive.php?article_id=2655) for having Shia religious material on his mobile phone. In August 2017 Jahongir Kulijanov was with other Shias arrested, tortured, and fined (https://www.forum18.org/archive.php?article_id=2365). In September 2017, former prisoner of conscience Kulijanov was jailed for five years for having works on Shia history. He was released on parole in February 2019 (https://www.forum18.org/archive.php?article_id=2477) and required to live under restrictions.

Shia Muslims have nationwide only four registered mosques of their own, two in Bukhara Region and two in Samarkand. One more mosque in Bukhara is intending to apply for registration (https://www.forum18.org/archive.php?article_id=2622). When in 2019 Shias in Bukhara petitioned for mosques to be reopened, police visited active members of the community to stop this.

In Bukhara Region seven Shia mosques operated from the early 1990s until 2008, when officials closed all but two. All seven mosques were filled with worshippers, especially during Shia holidays, a local Muslim told Forum 18.

The five mosque closures followed the 1999 arrest and jailing for five years of the imam of the (still operating in 2021) Khoji mir Ali Mosque in Bukhara. That jailing caused a sharp drop in Shia mosque attendance, as Shias were afraid of state reprisals, a Muslim who remains anonymous for fear of state reprisals told Forum 18 on 16 June. "Now, Shias who do not visit the two remaining mosques carry out Shia rituals and ceremonies privately at home."

"Shia Muslims say that without enough Shia mosques many Shias - particularly young people - are forgetting Shia traditions and faith," a Muslim who remains anonymous for fear of state reprisals told Forum 18. They explained that for Shias to celebrate Shia holidays, such as Ashura, in Sunni mosques is not acceptable to either Sunnis or Shias. "They also cannot pray together on other days because it is not a tradition for either Sunnis or Shias, and the differences in styles of prayer disturb Sunni worshippers."

The overwhelming majority of mosques in Uzbekistan are Sunni, and all mosques and other expressions of Sunni and Shia Islam are controlled by the state-controlled Spiritual Administration of Muslims (https://www.forum18.org/archive.php?article_id=2314), or Muftiate, headed by Chief Mufti Usmonhon Alimov.

Officials closed the five Shia mosques using the excuse that the mosque buildings had no property documents. "During Soviet times they were not given documentation, and in the early 1990s they were repaired on the initiative of the local people without state permission," the Muslim explained. "Due to the unwillingness of the local authorities to provide building documents, the Shia mosques' requests were many times denied."

Begzod Kadyrov, Chief Specialist of the state Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2314), refused to discuss the problems Shia Muslims face with Forum 18 on 23 June 2021. The telephones of Committee Chair Sodiq Toshboyev and other officials were not answered whenever Forum 18 called between 18 and 23 June.

Shia Muslim, Jehovah's Witness, and Protestant religious communities have all had recent applications to exist refused. In many cases the excuse used has been refusals by local authorities to provide documents as part of the complex, time-consuming and expensive application process (https://www.forum18.org/archive.php?article_id=2622).

In some cases registration applications have led to reprisals, such as police demands that Protestant Christians renounce their faith.

Will Bukhara Shias be allowed to reopen mosques?

Only two Shia mosques operate in Bukhara region. The larger Khoji mir Ali Mosque in Bukhara can accommodate up to 700 people, and the smaller Zirabod Mosque in Kagan District up to 200 people. "However, during holidays up to 2,500 people attend," a Muslim who remains anonymous for fear of state reprisals told Forum 18 on 16 June. "People cram into these two mosques and more people sit outside."

Local Muslims repeatedly state that many Shias would like the five closed mosques to be reopened, to meet the demand for more capacity than the currently open mosques can provide. For example, the closed Khusainiyya-liabi-chorbog Mosque can hold up to 300 people. Shia Muslims are said to be planning to apply for the closed Khonobod, Hoji Bahrom, and Tor-Tor mosques in Bukhara District to be re-opened, a local Muslim told Forum 18.

When in 2019 Shias in Bukhara petitioned for mosques to be reopened, police visited active members of the community to stop this (https://www.forum18.org/archive.php?article_id=2622).

Local mahallas (district administrations) have allowed the mosque buildings to decay into a state of poor repair (https://www.forum18.org/archive.php?article_id=2314). Some have been rented out by for use as carpenter's workshops or storage depots, a Muslim who remains anonymous for fear of state reprisals explained.

This is a major problem for Shias, as in autumn 2020 Religious Affairs Committee and other officials spoke on Uzreport national TV, and "clearly said that they will not give permission to exist to a community if buildings where meetings for worship will be held are in poor repair," a Muslim who remains anonymous for fear of state reprisals told Forum 18.

Shia Muslims have themselves repaired the Hoji Bahrom Mosque building, which could accommodate up to 200 worshippers, and have collected the details of the 100 founders required by the current Religion Law (https://www.forum18.org/archive.php?article_id=2314), a Muslim who remains anonymous for fear of state reprisals told Forum 18.

However, in early 2021 officials "verbally told community members that unless they repair a separate smaller damaged building that was used by women visiting the mosque, they will not receive permission to use the mosque." Shia Muslims are trying to decide whether to repair or demolish the building, but do not have the funds for either.

Shia Muslims are also concerned that the regime will use refusals by local authorities to provide documents (https://www.forum18.org/archive.php?article_id=2622) as an excuse to block mosque re-opening.

Bukhara regional Administration's religious affairs official, Erkin Majidov, claimed to Forum 18 on 18 June that the "Shia Muslim community freely carry out their worship and religious rites in the two mosques in Bukhara and Kagan District. If the citizens as founders ask the authorities to register a new religious organisation, their request will considered by the Justice agencies according to the established legal procedure."

Bukhara regional Justice Department officials between 16 and 18 June refused to explain to Forum 18 why Bukhara's Shias cannot reopen the closed mosques for worship. Bakhrom Bakhromov, who is responsible for the registration of religious organisations, several times asked Forum 18 through his assistants to call back. When Forum 18 eventually spoke to him on 18 June, he refused to answer questions and put the phone down.

The Talipoj and Khonobod mosques in Bukhara District just a few kilometres west of the city – which could accommodate 200 worshippers each - face similar problems to the Hoji Bahrom Mosque. "The buildings need to be repaired, and private persons have illegally used mosque land for building and growing trees and vegetables," a Muslim who remains anonymous for fear of state reprisals told Forum 18.

Talipoj Mosque is now surrounded by newly-built walls, while foundations for a new building have been laid in the yard. "We do not know whether the authorities are intending to demolish the building or reconfigure it for a different purpose," a local Muslim told Forum 18 with concern.

Kahraman Rasulov, Chair of Khonobod Mahalla Committee which is responsible for the two mosque buildings, refused to discuss violations of Shia Muslims' freedom of religion and belief. "This is our state's internal issue. I cannot talk to you," he claimed to Forum 18 on 16 June before putting the phone down.

Samarkand Shias "overflow into the street"

The city of Samarkand has two open Shia mosques: Panjab Mosque, which can accommodate 1,000 worshippers, and Murad avliya Mosque, which can accommodate 900 worshippers. On festivals such as Ashura, "up to 5,000 people are crammed into the two mosques and overflow into the street," a Muslim who remains anonymous for fear of state reprisals told Forum 18 on 22 June.

Officials closed Imam Mahdi Mosque (also known as Sakhib az Zaman Mosque) in Samarkand's Khusad mahalla, which could accommodate several hundred people, in 2010, the Muslim explained. To accommodate the existing demand this mosque would need to be reopened, the Muslim added, and "at least two more new mosques would need to be built and opened".

Imam Batyr Rizayev of the state-controlled Panjab Mosque told Forum 18 on 22 June that there may be up to 200,000 Shias in Samarkand. He claimed that Shias do not ask for new mosques as "two mosques are enough for us". When Forum 18 asked how 5,000 Shias on religious festivals can fit into two mosques with a total capacity of 1,900, Imam Rizayev claimed: "We can find places."

Local Muslims told Forum 18 that Shias have not approached the authorities about opening mosques in Samarkand as "they are afraid of the authorities and do not want to act independently of the imams of the open mosques". The Muslims described imams as "acting together with the authorities as they were appointed with their endorsement."

Local Muslims quoted Imam Rizayev as stating that "Shias will get into trouble with the authorities if they ask for new mosques". When Forum 18 put this to the Imam, he claimed that "everything is fine with the authorities and we have no problems at all".

Shakrukh Bakhromov, who is responsible for the registration of religious organisations in Samarkand Regional Justice Department, on 23 June refused to answer Forum 18's questions about reopening the city's Imam Mahdi Mosque. No-one Forum 18 called in Samarkand Regional Administration answered their phones on 22 or 23 June.

"Nothing has changed" over registration applications

Protestant, Jehovah's Witness, and Catholic religious communities have all had recent applications to exist refused or had no replies to applications. In many cases the excuse used has been refusals by local authorities to provide documents (https://www.forum18.org/archive.php?article_id=2622) as part of the complex, time-consuming and expensive application process. In some cases registration applications have led to reprisals, such as police demands that Protestant Christians renounce their faith.

"Nothing has changed," one Protestant church which has applied for registration told Forum 18 on 26 June. It meets for worship in a building, but is afraid officials could stop this at any moment.

Protestant churches which had registration applications refused in 2020 and 2021 "can meet for worship privately and the authorities have left them alone for now," another Protestant told Forum 18 on 7 June. "However, no one can guarantee that this will not change in future, and the communities will not get into trouble with the authorities as in the past."

"Churches face a lot of bureaucratic obstacles to overcome when collecting registration documents, as it can take several years before the authorities provide the necessary certificates," another Protestant told Forum 18 on 9 June. "Even when they apply they still may not receive registration."

Catholics in Angren tried in 2019 to register a parish (https://www.forum18.org/archive.php?article_id=2527), as local Catholics presently have to travel 105 kms (65 miles) to Tashkent for Mass. The Apostolic Administrator Bishop Jerzy Maculewicz told Forum 18 on 8 June that the Church is not planning to apply for registration of the community "until all the renovation is finished and the priests arrive in Uzbekistan". He did not specify when the application will be filed.

Officials have repeatedly refused Jehovah's Witnesses' registration applications with various excuses (https://www.forum18.org/archive.php?article_id=2622). "Without registration, the Witnesses are not only denied the freedoms of expression, peaceful assembly, and association, but are also denied freedom of religion and belief," they told Forum 18 on 9 June.

Latest repressive Religion Law sent for signature, public still denied information on content

The upper chamber of parliament, the Senate, approved the new Religion Law on 26 June, the Senate website announced the same day. The new Law was then sent to President Shavkat Mirziyoyev for signature, Senator Batyr Matmurov told Forum 18 from Tashkent on 28 June. The President usually signs laws between several days or weeks after the Senate has approved them.

The new Law in draft form was the subject of a highly critical October 2020 Venice Commission and OSCE ODIHR opinion (https://www.forum18.org/archive.php?article_id=2609) on the draft Religion Law. The regime has not explained why a draft which it knew seriously failed to implement its human rights obligations was sent for review, nor what if any changes it introduced after the review. The draft also ignored recommendations from the UN Special Rapporteur on Freedom of Religion and Belief in 2017, UN Universal Periodic Review (UPR) recommendations the regime claimed to accept in 2018, and May 2020 Concluding Observations of the UN Human Rights Committee.

"We need to understand that the draft Law is only an advertisement for Uzbekistan aimed at international organisations and foreign states," one Muslim noted to Forum 18 (https://www.forum18.org/archive.php?article_id=2609). "If the authorities wanted real

freedom for the people, then the draft Law would have been very different."

"No real public discussions have taken place"

The amended Religion Law has been adopted without the public being able to see or comment on any changes that might have been made since the draft text was published on the parliamentary website in Uzbek and Russian (https://www.forum18.org/archive.php?article_id=2596) on 19 August 2020 "for public discussion". Members of religious communities – including those who took part in alleged regime "consultations" (https://www.forum18.org/archive.php?article_id=2604) - have told Forum 18 that "no real public discussions have taken place".

Human rights defenders, religious communities and others in Uzbekistan have not seen any text since August 2020.

Members of a wide variety of religious communities and human rights defenders all also told Forum 18 on 29 June 2021 that they have not seen a text of the Religion Law as passed to the President for signature. "The state wants total control and even discussion of the Religion Law is in secret," one human rights defender commented. "This breeds extremism."

Senators and Senate staff refused to make available the text of the Law on 29 June. They also refused to comment to Forum 18 about the content of the new Religion Law, or the way it has been adopted in secrecy.

The amended Religion Law was approved in the lower chamber of parliament in the first reading on 15 September 2020 (https://www.forum18.org/archive.php?article_id=2604). On 4 May 2021 the new Law was passed by the lower chamber on its second reading (https://www.forum18.org/archive.php?article_id=2660). It was then sent to the Senate.

People in Uzbekistan have repeatedly criticised restrictions on the exercise of freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2314) in the current Religion Law. Yet the regime has ignored the comments of the people it rules. (END)

Full reports on freedom of thought, conscience and belief in Uzbekistan
(<https://www.forum18.org/archive.php?query=&religion=all&country=33>)

For more background, see Forum 18's Uzbekistan religious freedom survey (https://www.forum18.org/archive.php?article_id=2314)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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