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22 February 2007

UZBEKISTAN: Three Protestants await trial, but one freed

By Felix Corley, Forum 18 (https://www.forum18.org)

Two Protestant Christians in the north-west of Uzbekistan – where all Protestant activity is illegal – are facing criminal charges for their religious activity, Forum 18 News Service has learnt. The two - 26-year-old Makset Djabbarbergenov and 32-year-old Salavat Serikbayev – each face up to five years' imprisonment if convicted. The Prosecutor's Office have repeatedly evaded any discussion of the cases with Forum 18. Elsewhere in Uzbekistan, Protestant pastor Dmitry Shestakov – arrested by the NSS secret police on 21 January – also awaits trial, with no date yet set. He is being held in prison. However, visiting Kazakh Protestant pastor Rishat Garifulin has been freed without charge, after being held by the NSS secret police for eleven days. But police in the south-west who raided a private home have detained six Protestants, as well as confiscating a Bible, two audiocassettes and three Christian books in Kazakh. Such confiscated literature - including the Bible - has often been burnt.

Two Protestant Christians in the north-western region of Karakalpakstan [Qoraqalpoghiston] – where all Protestant activity is illegal – are facing criminal charges for their religious activity, Protestant sources who prefer not to be identified for fear of reprisals have told Forum 18 News Service. The two - 26-year-old Makset Djabbarbergenov and 32-year-old Salavat Serikbayev – each face up to five years' imprisonment if convicted, though they are not in detention as the investigation continues. The charges come as Protestant pastor Dmitry Shestakov – arrested by the National Security Service (NSS) secret police on 21 January - awaits trial in Andijan in eastern Uzbekistan. However, visiting Kazakh Protestant pastor Rishat Garifulin was freed without charge in the south-western city of Samarkand [Samarqand] on 19 February, after being held by the NSS secret police for eleven days.

Djabbarbergenov and Serikbayev have been charged under Article 216 of the Criminal Code, which punishes "violating the law on religious organisations" with sentences of up to five years' imprisonment. The two were among 18 Protestants detained in the evening of 15 January during a raid on a private home in the village of Kaskol-2 near Nukus, the capital of the Karakalpakstan Autonomous Republic. The raid was led by Abbat Utemuratov, senior assistant to the Nukus Town Prosecutor, and another assistant, Investigator Umirbai Khudaibergenov. Protestant sources have told Forum 18 that those detained on 15 January refused to write any statements, despite police pressure. They were then released.

Reached on 22 February, Utemuratov of the Prosecutor's Office told Forum 18 that the case against Djabbarbergenov and Serikbayev is being led by Investigator Khudaibergenov. "I don't have the file in front of me and don't know all the details," Utemuratov said. He said Forum 18 should call back an hour later when Khudaibergenov would be back. However, each time Forum 18 called back the phone was immediately put down again. Prosecutors have three months in which to complete an investigation.

Serikbayev's church in the town of Muynak [Muynoq], north of Nukus near the Aral Sea – like all other Protestant churches in Karakalpakstan - has long faced hostility from local officials, including police raids and torture of individual church members. "In effect we are being forced to live like the early Christians of the catacombs," Serikbayev told Forum 18 back in 2003. "We have to hold our religious meetings in the desert, several kilometres from the town, for fear of persecution by the authorities." (See F18News 17 March 2003 http://www.forum18.org/Archive.php?article_id=7 and eg. 3 July 2006 http://www.forum18.org/Archive.php?article_id=807).

Serikbayev was among three church members fined last July for his religious activity by Muynak town court. All three were punished under Article 240 of the Code of Administrative Offences, which punishes "violating the law on religious organisations". Serikbayev and one of the other Protestants were fined about 552,000 Uzbek Soms [2,840 Norwegian Kroner, 360 Euros, or 450 US Dollars], more than 50 times the minimum monthly wage in a town noted for its poverty, while the third received a seven-day prison term (see F18News 17 July 2006 http://www.forum18.org/Archive.php?article_id=814).

But in a surprise move, in mid-February, the Supreme Court of Karakalpakstan on criminal cases reduced Serikbayev's fine to one-tenth of its previous level. Sixty four confiscated religious books and videocassettes will also be returned to him.

Religious activity is particularly difficult in Karakalpakstan. The regional authorities have banned the activity of all non-Muslim and non-Orthodox religious communities by denying them official registration. Under Uzbekistan's harsh laws on religion – and in defiance of the country's international human rights commitments – all unregistered religious activity is illegal and punishable under the Criminal and Administrative Codes. Protestants, Jehovah's Witnesses and Hare Krishna devotees have faced particular

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persecution in Karakalpakstan. Protestant students in the regional capital Nukus have long been singled out for pressure (see eg. F18News 5 May 2006 http://www.forum18.org/Archive.php?article_id=774 and 26 January 2006 http://www.forum18.org/Archive.php?article_id=719).

Meanwhile, Forum 18 has been unable to find out when Dmitry Shestakov (also known as David), a Full Gospel pastor, is due to go on trial for his religious activity in Andijan (see F18News 14 February 2007 http://www.forum18.org/Archive.php?article_id=911). Sources in the city told Forum 18 on 21 February that he remains in the investigation prison, with no date yet set for a trial.

Visiting Kazakh Pastor Garifulin - detained on 8 February in Samarkand, two days after arriving in the city on a private visit - was freed late on 19 February after eleven days detention by the secret police. "We are pleased he has been released and all accusations against him have been dropped," local Protestants told Forum 18 from the city on 20 February. Garifulin's fellow pastor at his church in the Kazakh city of Almaty, Zoltan Mustafa, praised the involvement of officials of Kazakhstan's foreign ministry. "Officials were very helpful and willing to see Rishat's case resolved," he told Forum 18 from Almaty on 20 February.

Garifulin's wife Anna – who has spoken to her husband since his release - said that during his detention he was not beaten, but that police put moral and psychological pressure on him. "They wanted him to confess that he had come to Uzbekistan as a missionary," she told Forum 18 from Almaty on 21 February. She said that he was planning to return to Kazakhstan on 23 February.

Pastor Garifulin was detained after police stopped him on the streets near the Registan, the complex of three historic madrasahs in central Samarkand, and found several Christian booklets in his bag. They initially intended to charge him under Article 159 of the Criminal Code, which punishes anti-constitutional activity with up to five years in prison, with harsher penalties for those advocating violence or participating in a conspiracy. For many days, Garifulin's family in Almaty, where he is a pastor of the Greater Grace church, had no information about where or why he was being held (see F18News 14 February 2007 http://www.forum18.org/Archive.php?article_id=911).

Pastor Garifulin's family has told Forum 18 that after they sought the help of the Kazakh Foreign Ministry, the Kazakh consul in the Uzbek capital Tashkent wrote to the authorities about his case. On 19 February Garifulin was finally allowed access to a lawyer and he was freed that same evening.

Meanwhile, police in the town of Gazli in Bukhara [Bukhoro] region of south-western Uzbekistan burst into a private home on 10 February, detaining six Protestants who were present, Protestant sources have told Forum 18. Officers – who were led by the local police chief B. Niyazov - confiscated a Bible, two audiocassettes and three Christian books in Kazakh. Protestants fear that charges under Article 240 of the Administrative Code as well as Article 241, which punishes breaking the law on religious education, could be brought.

Controls on religious literature have been intensified (see F18News 29 June 2006 http://www.forum18.org/Archive.php?article_id=805), and literature, including the Bible, has often been burnt (see F18News 6 September 2005 http://www.forum18.org/Archive.php?article_id=643).

Yet in one other recent case, Protestants have reported that threatened measures have not been carried out. On 5 February, Judge A. Shamsutdinova at the criminal court of the capital Tashkent's Chilanzar district halted administrative cases against five members of a local Pentecostal congregation. The five had been accused under Article 201, which punishes violating the law on meetings and demonstrations, Article 240 and Article 241. The church has repeatedly sought registration in vain. In January the head of the local Mahalla (city district) refused to sign the church's application without any explanation, a common occurrence for religious minority communities.

Mahalla committees are a key instrument of state control in Uzbekistan and must approve any registration applications from religious organisations before they can be processed further. Mahalla committees are used to block registration attempts by religious minorities such as Jehovah's Witnesses (see eg. F18News 1 December 2005 http://www.forum18.org/Archive.php?article_id=698), as well as in campaigns against religious believers such as Protestant Christians (see F18News 11 January 2006 http://www.forum18.org/Archive.php?article_id=714). Mahalla committees are also used to monitor members of the majority Muslim community, such as to check up on Muslims who want to make the haj pilgrimage (see F18News 7 December 2006 http://www.forum18.org/Archive.php?article_id=884). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all faiths 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=777.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

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A printer-friendly map of Uzbekistan is available at
http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki

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