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UZBEKISTAN: Is a four-year sentence for religious activity too harsh?

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

Jehovah's Witness Olim Turaev has begun a four-year labour camp sentence imposed in Samarkand on 25 April to punish him for holding an unapproved religious meeting and teaching religion without state permission, Jehovah's Witnesses told Forum 18 News Service. His appeal is pending. The 34-year-old medical doctor, who is married with three children, is the third Jehovah's Witness currently serving a criminal sentence for his peaceful religious activity. Bakhrom Abdukhalilov, advisor to President Islam Karimov on ethnic minorities and religion, showed no concern for Turaev, insisting that Jehovah's Witnesses should not violate the law. He refused to say if he thought the four-year sentence was too harsh. Jehovah's Witnesses in Samarkand and elsewhere have been repeatedly denied the state registration the authorities insist is necessary before a religious community can conduct any religious activity. April also saw Full Gospel and Baptist church members fined in various cities, with one church leader handed a three-day administrative arrest.

In the longest sentence on a member of a religious minority since the punishment imposed on Pentecostal pastor Dmitry Shestakov in March 2007, Jehovah's Witness Olim Turaev was given a four-year labour camp sentence by a court in the central city of Samarkand [Samarqand] on 25 April to punish him for his peaceful religious activity, Jehovah's Witnesses told Forum 18 News Service on 29 April. Bakhrom Abdukhalilov, advisor to President Islam Karimov on ethnic minorities and religion, rejected any concern for Turaev, insisting that those who live in Uzbekistan must abide by its laws. "We have the law and Jehovah's Witnesses should not violate it," he told Forum 18 from the capital Tashkent on 28 April. He refused to say whether or not he thought four years of labour camp for holding meetings and teaching religion at one's home was too harsh.

Abdukhalilov said he did not want to discuss the issue further and referred Forum 18 to the government's Religious Affairs Committee. However, Forum 18 was unable to reach any official at the Committee. Previously, Committee officials have defended punishments imposed on religious believers and told Forum 18 that asking about religious freedom violations is "stupid" (see F18News 10 April 2008 http://www.forum18.org/Archive.php?article_id=1112).

Equally unconcerned about Turaev's fate is Tair Khojakulov, the deputy Hokim (Head of the executive authority) of Samarkand Region. He insisted to Forum 18 from Samarkand on 29 April that if Turaev violated Uzbekistan's law then he must be held responsible for it. "I can't tell you much about this case, but if he was charged so seriously then he must have violated our law," he said. He refused to say what was so criminal in holding peaceful meetings at a private home and put down the phone.

Amid rising pressure on religious communities, April also saw a Protestant put under three-day administrative arrest and fined, while two Baptist congregations faced raids and fines on their members. In defiance of international human rights conventions, Uzbekistan bans all activity by unregistered religious communities. However, Judge Ravshan Juraev – who handed down the three-day sentence – commented to Forum 18 from Tashkent on 29 April that Uzbekistan's Religion Law is very harsh with violators.

Samarkand city Criminal Court tried Turaev for unregistered religious activity under Articles 216 and 229(2) of the Criminal Code, which prohibit unregistered religious activity and teaching religious beliefs privately. The case was heard by Judge Zokir Azimov, the same judge who sentenced fellow Jehovah's Witness Irfon Khamidov to two years' imprisonment in May 2007 (see F18News 27 June 2007 http://www.forum18.org/Archive.php?article_id=982).

Jehovah's Witnesses told Forum 18 on 29 April that Turaev has already filed an appeal against the four-year sentence. He is being detained in a prison awaiting his appeal hearing. Turaev, who is 34 years old and married with three sons, is a medical doctor. If the decision of the court is upheld and he is sent to labour camp, Forum 18 was told, if he is then found guilty of a minor violation he could be moved to a regular prison. "Things like that have happened in the past, we are afraid it may happen again," the source told Forum 18.

Turaev is the third Jehovah's Witness prisoner of conscience currently serving a criminal sentence in Uzbekistan to punish him for his peaceful religious activity. While Khamidov is serving his two-year sentence, Dilafruz Arziyeva is serving a two-year corrective labour sentence with twenty percent of her wages being deducted by the state. Shestakov, the Pentecostal pastor, is still serving his

four-year sentence in labour camp in the central town of Navoi [Nawoiy] (see F18News 16 January 2008 http://www.forum18.org/Archive.php?article_id=1071).

Despite repeated attempts to register with the Justice Ministry, Samarkand's Jehovah's Witnesses have not been able to do so. The prosecution of Turaev follows police raids on more than 20 Jehovah's Witness homes in the city on 17 and 19 February. These raids were carried out by the Anti-Terrorism Unit of the Samarkand Police Department, together with officers of the National Security Service (NSS) secret police (see F18News 17 March 2008 http://www.forum18.org/Archive.php?article_id=1101).

Meanwhile, in the capital five members of Tashkent's Eskhol Full Gospel Protestant Church were tried on 11 April by the city's Chilanzar district Criminal Court led by Judge Ravshan Juraev. Serik Kadyrov was given three-day administrative arrest and fined 9,389 Sums (37 Norwegian Kroner, 5 Euros or 7 US Dollars) for allegedly violating Article 240 of the Code of Administrative Offences, which punishes violation of the law on religious organisations, and not obeying law-enforcement officers under Article 194. Natalya Kadyrova, Timur Fazitdinov, Radik Sagitov and Mars Garaev were each fined 417,300 Sums (1,644 Norwegian Kroner, 205 Euros or 320 US Dollars) in their absence.

Church members told Forum 18 from Tashkent that Kadyrov stood alone in the court room to hear the verdict since his lawyer was not even given the case file to familiarise himself with and was kicked out of the courtroom.

Judge Juraev told Forum 18 on 29 April that these were the minimum fines on those charges he could hand down. He admitted the size of the fines on the four but said he could do nothing because "the law is that way". Juraev said the defendants could be successful in any appeal. "Kadyrov and his church members should find a good lawyer and try to overturn the decision," he told Forum 18.

The arrest and fines follow the 9 April raid on the Full Gospel Church's service by the police and NSS secret police, accompanied by officials of the Chilanzar District Hokimat (administration) and the city's Justice Department (see F18News 10 April 2008 http://www.forum18.org/Archive.php?article_id=1112). The city Justice Department denied the church registration for the third time on 25 April, Protestants who preferred not to be identified told Forum 18. They believe the authorities do not want to register the congregation and therefore keep applying pressure to the church.

Officials from the Navoi Regional Prosecutor's office and City Police Department raided the home of Alisher Abdullaev on 6 April, Protestants told Forum 18. Abdullaev, a member of a local Council of Churches Baptist congregation, had gathered with some local believers and visitors from Fergana [Farghona] Region, local Baptists told Forum 18 from Navoi on 28 April. They were reading their Bibles, praying and worshipping together, when the officials broke in.

Council of Churches Baptists refuse to seek state registration, believing that they should be free to practice their faith peacefully without such registration. This leads to often severe pressure from the Uzbek authorities.

The officials told the Baptists that they had come to search Abdullaev's home. When Abdullaev objected to how they could do so without a warrant from the Prosecutor, the officials responded: "Tell anyone you want". Local Baptists told Forum 18 that the law-enforcement officers "forced their way into the home and started dragging the people out". They confiscated Christian literature and discs from Abdullaev's home. They then took several of the Baptists - Igor Gutsenovich, Artur Alpaev, T. Kavrizhina, O. Kuznetsova and Iosif Skaev - to the police station, where they were detained for several hours. "At the police Capitan Yusupjon Ismailov insulted the believers and our faith," the Baptists complained. Abdullaev was not even given a copy of the record of the search and confiscation of literature, Forum 18 was told.

Major Faiziev from the Samarkand city Police Department, who participated in the raid, refused to discuss the case on 29 April and referred Forum 18 to Akhtam Gulov, the Chief of the Anti-Terrorism Unit. "You should talk to Gulov - he was in charge of the operation," he told Forum 18. However, Gulov's phones went unanswered.

Materials are being filed to bring administrative charges against the Baptists, Protestants told Forum 18. They are likely to be punished under Articles 240 and 241 of the Code of Administrative Offences for violating the law on religious organisations and the procedure for teaching religion.

Another raid on a Council of Churches Baptist congregation took place in the southern city of Karshi [Qarshi] on 20 April, Baptists told Forum 18 from the city on 28 April. Officials of the Ministry of Internal Affairs and Tashkent city criminal police as well as Karshi City Prosecutor's office and Karshi city police officers participated in the raid. To document everything in the church service television crews from Karshi city were invited. Asked to show a warrant authorising the intrusion, one of the officials Ulugbek Rakhmankulov told the son of the owner of the house where the meeting was held: "I am your Prosecutor and your warrant".

Church members told Forum 18 that at the end of the service the officials began to record the names of the participants one by one and asked them to leave. "We were threatened by one major that otherwise he would take us to the police station," they reported. The officials then went on to question all the children, asking them whether they were forced to attend the meetings.

After all the questioning the police officers searched the house and confiscated disks and all the Christian literature they could find, including two personal Bibles, Forum 18 was told. "We will fine each one of you 1,000,000 Sums [3,940 Norwegian Kroner, 492 Euros or 766 US Dollars]," church members quoted one officer as telling them. "If you don't pay we will confiscate the house."

Three church members - Mikhail Balykbaev, Saida Sultanova and Andrei Perstov - were taken to the police station. They were kept there until late at night, only being released after long hours of questioning and intimidation to sign confessions, Forum 18 was told.

Mukhtar Khaytmuratov, the head of the social issues department at the Kashkadarya Regional Hokimat, refused to comment on the raid on 29 April and referred Forum 18 to the city Justice Department. No one was available at the Justice Department to talk about the case. (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.

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 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.

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

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY