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UZBEKISTAN: Illegal Christmas as unregistered religious activity punished

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

Uzbekistan continues in 2010 to punish unregistered religious activity, in defiance of international human rights standards, Forum 18 News Service has learned. On 3 January, eight police officers raided a Christmas gathering organised by an officially registered church. Asked why celebrating Christmas was illegal, police told Forum 18 that the Full Gospel Holiness Church is "not registered" in Umid village. Three leaders of the Church face administrative charges as a result. Also, following unregistered religious activity in the southern Surkhandarya Region, Pastor Bakhrom Nazarov has been fined over 83 times the minimum monthly wage. 25 people are known to have suffered short-term jail sentences between February and November 2009. However, there were no known short-term jailings of people for exercising their freedom of religion or belief from late November 2009. Asked why, a Judge told Forum 18 that "it may be because of the liberalisation of Uzbekistan's Judiciary, which is underway at the moment."

In violation of international human rights standards, Uzbekistan continues in 2010 to punish unregistered religious activity, Forum 18 News Service has learned. Recent known cases include: a court in southern Uzbekistan imposing a huge fine on a Protestant pastor for teaching Christian doctrines without registration; and police in Tashkent Region prosecuting the three Protestant leaders of an officially registered church for organising a Christmas celebration in an area where their church was not registered. However, there were fewer short-term jailings of people for exercising their freedom of religion or belief in the latter part of 2009. Asked why, a Judge told Forum 18 that "it may be because of the liberalisation of Uzbekistan's Judiciary, which is underway at the moment."

Religious activity "without official permission"

Following unregistered religious activity in the southern Surkhandarya Region, Pastor Bakhrom Nazarov was fined 2,805,000 Soms (10,370 Norwegian Kroner, 1,270 Euros, or 1,840 US Dollars) by Judge Habibullaev at Termez City Criminal Court on 2 November 2009. The minimum monthly wage from 1 August 2009 is 33,645 Soms (125 Norwegian Kroner, 15 Euros, or 22 US Dollars).

Pastor Nazarov was convicted under Uzbekistan's Administrative Code's Articles 240 ("holding unregistered religious meetings") and 241 ("teaching of religious beliefs without specialist religious training and without permission from a religious organisation, and the teaching of religious beliefs in a private capacity"), a Protestant who wished to be unnamed for fear of the authorities told Forum 18. Nazarov is the Pastor of an unregistered Full Gospel Church of Urgench City in north-western Uzbekistan. He has previously been harassed by the authorities, who in 2004 burnt literature, including an Uzbek Bible, confiscated from him (see eg. F18News 17 November 2004 http://www.forum18.org/Archive.php?article_id=455).

Explaining why he was tried in Termez, Judge Ilkhom Zukhorov of the City Criminal Court said that Pastor Nazarov "without official permission" was involved in religious activity in the Region. He added that an appeal in a "few days" will be heard in the Regional Criminal Court. "Maybe the Regional Court will cancel the fine," Judge Zukhorov told Forum 18 on 13 January, when asked why such a huge fine was given. He said he could not make further comments, when asked by Forum 18 why a pastor should ask for state permission to teach Christian doctrines.

Illegal Christmas

On Sunday 3 January 2010 at around 1 pm, eight police officers raided a meeting held by the officially registered Holiness Full Gospel Protestant Church in a private home in Yangiyul District's Umid village, a person who wishes to be unnamed for fear of state reprisals told Forum 18.

Tashkent Region's Yangiyul District Police Criminal Investigation Department (CID) is preparing administrative charges against Kholmet Ashirov, Ayazbek Taytaliyev and Rustam Usmanov, who are leaders of Holiness Church. CID chief Captain Bobur Usmanov said that police will bring the case to court after the three leaders come to the CID offices to write statements. "They have switched off their cell phones, and are hiding from us," he told Forum 18 on 13 January. "In order to complete the pre-trial investigation, we need to have them write statements."

Captain Usmanov told Forum 18 that "around 40 people had gathered in the place to celebrate Christmas." Asked why celebrating Christmas was illegal, Usmanov said that the Holiness Church is "not registered" in Umid village. He added that the Police raided the gathering on the tip given by the local mahalla (self-government) committee. Mahalla committees are used by the authorities as a key instrument in their attempts to control Uzbek society (see eg. F18News 1 December 2005 http://www.forum18.org/Archive.php?article_id=698). Uzbek officials wrongly claim that the alleged unwillingness of local residents allows the state to, under international law, stop religious organisations from operating (see eg. F18News 9 January 2008 http://www.forum18.org/Archive.php?article_id=1068).

"We are human beings, and we understand that these people had gathered for a meal," Captain Usmanov explained. "We released the church members but questioned the leaders." He did not say whether the church was given a chance to finish the meal. Asked why the leaders were treated differently, Captain Usmanov said that they did not ask for permission to hold the celebration from the local authorities.

Taytaliyev and Usmanov were earlier in 2009 were jailed for five days under the Administrative Code's articles 201 ("violation of the procedure of arranging, holding of meetings, gatherings, street marches or demonstrations"), 240 ("holding unregistered religious meetings"), a Protestant who wished to be unnamed told Forum 18. "Now, we fear that criminal proceedings may be opened against them."

Confirming the jail sentences, Police Captain Usmanov said that the two Protestants were tried by Yangiyul District Court in March 2009, and given 15-day administrative arrests. These were reduced to five days on appeal. Usmanov, without giving any details, stated that police will "only" bring the case to the court for an administrative punishment. However, he was quick to add that "if they are found guilty for the same violations, we will open a criminal case against them."

Short-term jail sentences in 2009

25 people are known to have suffered short-term jail sentences between February and November 2009:

- 1.) Dilshod Akhmedov, Jehovah's Witness, Tashkent, 21 February, 15 days (see F18News 4 June 2009 http://www.forum18.org/Archive.php?article_id=1306).
- 2.) Fatima Akhmedova, Jehovah's Witness, Tashkent, 21 February, 10 days (see F18News 4 June 2009 http://www.forum18.org/Archive.php?article_id=1306).
- 3.) Ilhamjan Akhmedov, Jehovah's Witness, Tashkent, 21 February, 10 days (see F18News 4 June 2009 http://www.forum18.org/Archive.php?article_id=1306).
- 4.) Galina Fris, Jehovah's Witness, Tashkent, 28 February, 15 days (see F18News 4 June 2009 http://www.forum18.org/Archive.php?article_id=1306).
- 5.) Ayshe Setablaeva, Jehovah's Witness, Tashkent, 28 February, 15 days (see F18News 4 June 2009 http://www.forum18.org/Archive.php?article_id=1306).
- 6.) Mahmudjon Turdiev, Protestant, Kurgantepe, 3 March, 15 days (see F18News 18 March 2009 http://www.forum18.org/Archive.php?article_id=1270).
- 7.) Mahmudjon Boynazarov, Protestant, Kurgantepe, 3 March, 15 days (see F18News 18 March 2009 http://www.forum18.org/Archive.php?article_id=1270).
- 8.) Ravshanjon Bahramov, Protestant, Kurgantepe, 3 March, 15 days (see F18News 18 March 2009 http://www.forum18.org/Archive.php?article_id=1270).
- 9.) Roman Tsoi, Protestant, Tashkent, 11 March, 10 days (see F18News 18 March 2009 http://www.forum18.org/Archive.php?article_id=1270).
- 10.) Ayazbek Taitaleev, Protestant, Yangiyul, March, 5 days (details above).
- 11.) Rustam Usmanov, Protestant, Yangiyul, March, 5 days (details above).
- 12.) Pavel Nenno, Protestant, Tashkent, 8 April, 15 days (see F18News 15 April 2009 http://www.forum18.org/Archive.php?article_id=1283).
- 13.) Mamlakat Nabieva, Jehovah's Witness, Tashkent, 16 June, 5 days (details below).

14.) Angelina Farahova, Jehovah's Witness, Tashkent, 16 June, 5 days (details below).

15.) Gulchehra Tashboltaeva, Jehovah's Witness, Tashkent, 16 June, 5 days (details below).

16.) Male, Jehovah's Witness, Tashkent, 4 July, 15 days.

17.) Eliyor Nematov, Baha'i, Tashkent, 25 July, 15 days (see F18News 24 September 2009 http://www.forum18.org/Archive.php?article_id=1353).

18.) Timur Chekparbayev, Baha'i, Tashkent, 25 July, 15 days (see F18News 24 September 2009 http://www.forum18.org/Archive.php?article_id=1353).

19.) Andrei Sim, Protestant, Tashkent, 24 August, 15 days (see F18News 26 August 2009 http://www.forum18.org/Archive.php?article_id=1341).

20.) Vladimir Tyo, Protestant, Tashkent, 24 August, 15 days (see F18News 26 August 2009 http://www.forum18.org/Archive.php?article_id=1341).

21.) Yuri Tyo, Protestant, Tashkent, 24 August, 15 days (see F18News 26 August 2009 http://www.forum18.org/Archive.php?article_id=1341).

22.) Dmitri Sim, Protestant, Tashkent, 24 August, 15 days (see F18News 26 August 2009 http://www.forum18.org/Archive.php?article_id=1341).

23.) Male, Jehovah's Witness, Tashkent, 11 September, 10 days.

24.) Female, Jehovah's Witness, Tashkent, 23 November, 15 days.

25.) Second female, Jehovah's Witness, Tashkent, 23 November, 15 days.

There have been no known short-term administrative jail sentences since November 2009. Asked for the reasons, one Uzbek Judge told Forum 18 that "it may be because of the liberalisation of Uzbekistan's Judiciary, which is underway at the moment." Without precisely pointing out which changes to the laws or Judiciary are being made, the Judge said that "the reason for the liberalisation is that judges and courts may be more flexible and lenient in giving punishments."

Appeals against short-term jail terms bring threats

Mahmudjon Turdiev and Ravshanjon Bahramov, as well as family members, were threatened with further 15 day jail terms – as well as harassed in other ways - as the two continued to use Uzbekistan's legal system to appeal in July against their March jail terms. In an unrelated case, the authorities imposed the equivalent of an unlimited jail term on Gafur Yusupov, who lives in a home for people with disabilities, by preventing him from attending a Baptist Church or meeting fellow believers (see F18News 7 July 2009 http://www.forum18.org/Archive.php?article_id=1322).

Appeals rejected

Appeals which are heard against short-term jail sentences have often been rejected. On 16 June 2009 Tashkent's Mirzo-Ulugbek District Criminal Court decision punishing seven Jehovah's Witnesses, sentenced Mamlakat Nabieva, Angelina Farahova, and Gulchehra Tashboltaeva to five days administrative arrest. In addition, the Court fined the three Jehovah's Witnesses along with four other members of the Community 1,962,800 Soms (7,260 Norwegian Kroner, 890 Euros, or 1,290 US Dollars) each under the Administrative Code's articles 201 part 1 ("violation of the procedure of arranging, holding of meetings, gatherings, street marches or demonstrations"), 240 part 1 ("holding unregistered religious meetings") and 241 part 1 ("teaching of religious beliefs without specialist religious training and without permission from a religious organisation, and the teaching of religious beliefs in a private capacity"). The other four fined were Zebinisso Raimkulova, Hamida Zoyirova, and Mariya Kamardina, who are all unemployed, as well as Galina Dokuchayeva who is a 57-year old retired woman.

Judge Sardar Sodikov of Tashkent City Criminal Court on 28 July heard an appeal case against the punishments. In his decision, a copy of which Forum 18 has seen, he stated that the District Court "correctly qualified" the actions of the Jehovah's Witnesses and that the punishments were "in proportion to the committed acts." Reached by Forum 18 on 13 January 2010, Judge Sodikov at first did not admit that he heard the appeal. But when Forum 18 stated it has a copy of his decision, Sodikov stated that he "cannot give comments over the phone to you" before putting the phone down.

Long-term jail terms

As well as short-term jailings of people for exercising their freedom of religion or belief, at least 47 adherents of the late Turkish Muslim theologian Said Nursi were in 2009 given prison sentences totalling around 380 years (see F18News 31 August 2009 http://www.forum18.org/Archive.php?article_id=1344).

Other trials of alleged Nursi followers include that of four people in Namangan including Shokir Koraboyev, arrested in June (see F18News 31 July 2009 http://www.forum18.org/Archive.php?article_id=1333). The crackdown on other Muslim religious activity has also continued one case having begun being that of Mekhrinisso Hamdamova, a Muslim woman arrested with many members of her family for holding unauthorised religious meetings in her home (see F18News 18 November 2009 http://www.forum18.org/Archive.php?article_id=1376). (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=1170.

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 can be found at http://www.forum18.org/Archive.php?article_id=1351.

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