

5 August 2010

UZBEKISTAN: "We are bandits"

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

Uzbekistan continues short-term jailings of prisoners of conscience and large fines against Christians meeting together, Forum 18 News Service has learned. 10 Protestant short-term prisoners of conscience have been jailed for between three and five days, and three were fined 80 times the minimum monthly wage. The raid which preceded the punishments – in which 23 people including small children were detained – was carried out with great brutality. Police under Major Ilyos Mustafayev broke into the house, confiscating two personal Bibles, four songbooks and one textbook of violin lessons. They then began "pushing the believers forcefully" into cars outside, Baptists complained. "Some believers were kicked and hit while they were dragged out of the house." Major Mustafayev, when asked by the Baptists why the Police acted like bandits, replied: "Yes, we are bandits". Questioned by Forum 18, Mustafayev denied his identity. Elsewhere a court has ordered that officially permitted Christian books and leaflets found in a raid should be confiscated and destroyed, despite Uzbek legal procedure being violated.

Uzbekistan is continuing its policy of short-term jailings of prisoners of conscience and large fines against Christians meeting together, Forum 18 News Service has learned. 10 Protestant short-term prisoners of conscience have recently been jailed for between three and five days, and three were fined 80 times the minimum monthly wage. As is often the case, the raid which preceded the punishments – in which 23 people including small children were detained – was carried out with great brutality.

The jail sentences given in the most recent known case are shorter than some other cases, which have often been for between 10 and 15 days, and the most frequent use of long-term sentences for religious activity has recently been against Muslim readers of the works of theologian Said Nursi (see eg. F18News 14 July 2010 http://www.forum18.org/Archive.php?article_id=1467). However in April one Baptist, Tohar Haydarov, was sentenced to 10 years in jail on what his fellow Baptists repeatedly and strongly insist are fabricated drugs charges (see F18News 8 July 2010 http://www.forum18.org/Archive.php?article_id=1465).

Another trial of Muslims accused of reading Nursi's works has begun in the capital Tashkent (see below).

"Yes, we are bandits"

On 28 July Baptists from an unregistered church had gathered at the home of Yuriy Garmashev, in Tashkent's Mirzo Ulugbek District, "to celebrate the spiritual birthday of a church member" they told Forum 18 on 5 August. "They were involved in nothing illegal, but having tea and singing some spiritual songs."

Mirzo Ulugbek Police Major Ilyos Mustafayev along with Police Lieutenant Colonel Abdullayev (who did not give his name) and other police officers raided Garmashev's home at 9 pm, the Baptists said. The police had surrounded the house with five cars, and then broke into Garmashev's home. After confiscating two personal Bibles, four songbooks and one textbook of violin lessons, the police then began "pushing the believers forcefully" into cars outside, the Baptists complained. "Some believers were kicked and hit while they were dragged out of the house."

Baptists also said that Major Mustafayev "grabbed Garmashev's ten-year-old daughter by her dress and pushed her so hard that she could barely breathe." Major Mustafayev was "cynical and rude" when he was asked by the Baptists why the Police acted like bandits. He replied: "Yes, we are bandits".

Major Mustafayev at the District Police Station, who answered the phone on 5 August, confirmed his identity to Forum 18. But as soon as Forum 18 asked why his police officers raided the Baptist gathering and was abusive towards the Baptists, he denied that he was Major Mustafayev. "Please, call back tomorrow," he said. Refusing to talk further he put the phone down.

The UN Committee Against Torture has found that the use of torture by state officials is "routine" in Uzbekistan. The use or threat of torture is often reported by victims of religious freedom violations who do not wish to publicly testify to torture and other forms of brutality (see eg. F18News 29 April 2010 http://www.forum18.org/Archive.php?article_id=1438).

Twenty-three detained

Twenty-three people, including some young children, who were present at Garmashev's home, were taken to the District Police Station immediately after the raid. Ten of those detained were released almost 24 hours later at 8 pm on 29 July, after being warned, Baptists told Forum 18. "Three of those who were detained are hearing and speaking impaired, and a detained four-year-old boy was scared by seeing how badly the police treated his mother."

Baptists also complained that all the detained had to sleep on wooden chairs during the night. The remaining thirteen people, who were not released the following day, were taken to the District Court to be punished.

10 short-term prisoners of conscience, three massive fines

Judge Shukhat Bakayev of Mirzo Ulugbek District Criminal Court in Tashkent Region on 29 July, under the Administrative Code's Article 194 Part 1 and Article 201 Part 2, handed down massive fines and short-term jail sentences to all 13 people brought before the Court. All 13 are members of the local unregistered Baptist Church, which belongs to the Council of Churches Baptists who refuse on principle to seek state registration. Forum 18 has seen a copy of the verdict.

Part 1 of Administrative Code Article 194 punishes "failure to carry out the lawful demands of a police officer or other persons carrying out duties to guard public order" with a fine of up to twice the minimum monthly salary.

Part 2 of Administrative Code Article 201 punishes "violation of the procedure for organising and conducting meetings, street processions or demonstrations" with a fine between five and 10 times the monthly minimum salary, or administrative arrest for up to 15 days.

Yuriy Garmashev was given five days under arrest, and nine others – Nikolay Serin, Gleb Izmestyev, Stanislav Kim, Stanislav Anin, Yevgeni Vinokurov, Davlat Ilakhunov, Dmitri Bilan, Vitali Liner, Nikolai Shaldayev were given three days under arrest. Sisters Oksana and Yelena Kamyshina, and David Goryachev, were each fined 80 times the minimum monthly salary, or a total of 3,014,000 Soms (11,150 Norwegian Kroner, 1,410 Euros, or 1,860 US Dollars at the inflated official exchange rates) each.

Baptists told Forum 18 on 5 August that all the jailed short-term prisoners of conscience have now been released.

Both Judge Bakayev and Mirzo Ulugbek Police refused to comment on the police's actions. Forum 18 called several numbers at the Police Station on 5 August to discuss the case, but was told that both the Police Chief and all his deputies were busy and not available to talk.

Judge Bakayev refused to comment on the case, stating that he will not explain his decision. "I gave them a copy of the decision, and if they disagree they can complain," he told Forum 18 on 5 August.

Raided again

A Baptist told Forum 18 on 5 August that yesterday (4 August) police again raided members of the same Church, this time raiding a church meeting. "Police this time were more reserved while talking to the leaders of the Church, but – after writing down the leaders' names - warned them that they would not leave the church alone."

Another Muslim trial

Tashkent Regional Criminal Court under Judge Rustamov on 17 June began the trial of nine former graduates of Turkish lycees for allegedly being members of the Nursi Muslim movement, human rights defender Surat Ikramov told Forum 18 on 5 August. The defendants are Zhasur Hassanov, Farhod Hassanov, Dilmurod Rahmatov, Tohir Vakkasov, Oybek Latipov, Sherzod Khaytboyev, Jamshid Zhabborov, Jahongir Tillayev and Asilkhuzha Turayev. All of them are between 31 and 32 years of age, married, graduated from the Turkish lycee in Angren in Tashkent Region in the same year, and have higher education degrees. The verdict is expected next week (see F18News 18 August 2010 http://www.forum18.org/Archive.php?article_id=1479).

Readers of Nursi's works are often given long jail terms (see eg. F18News 8 July 2010 http://www.forum18.org/Archive.php?article_id=1465).

Officially permitted Christian literature destroyed

Elsewhere, in western Uzbekistan's Khorezm region, Judge Gayrat Sabirov of Urgench [Urganch] Criminal Court on 24 July ordered that Christian literature owned by Zoya Varakina should be confiscated and destroyed. The verdict notes that Varakina's home was raided on 9 June by Urgench City Police, who found and confiscated 14 Christian books and 64 leaflets. Among the confiscated books was a New Testament in Uzbek.

Varakina, a member of the local unregistered Baptist Church, was convicted under the Administrative Code's Article 184-2 ("illegal storage, production, import, distribution of religious materials"). A human rights defender, who wished to remain unnamed for fear

of state reprisals, told Forum 18 on 5 August that the "expert analysis" of Varakina's books – as the verdict notes – was made by the local Spiritual Administration of Muslims or Muftiate, instead of by the state Religious Affairs Committee in Tashkent. The Muftiate is under total state control (see the Forum 18 religious freedom survey of Uzbekistan http://www.forum18.org/Archive.php?article_id=1170).

However it is illegal for the Muftiate to carry out such "expert analyses". The human rights defender also complained that these books are all officially permitted books by the Religious Affairs Committee.

Under a Cabinet of Ministers decree of April 2004, only the state Religious Affairs Committee is authorised to conduct expert analyses of religious materials (see F18News 27 March 2007 http://www.forum18.org/Archive.php?article_id=936). Despite this decree, such analyses of religious literature are frequently conducted by university staff, or other "experts" who have no legal right or authority to do this (see F18News 18 May 2010 http://www.forum18.org/Archive.php?article_id=1445).

Judge Sabirov on 5 August refused to discuss with Forum 18 on what basis the police raided Varakina's home as well as why he ordered the destruction of officially permitted Christian literature. He introduced himself as Judge Sabirov when he answered the phone, but put the phone down as soon as heard Forum 18's question claiming that it was a wrong number.

All religious literature – even texts such as the Bible and Koran – is under severe censorship, and is often ordered to be destroyed by courts (see F18News 1 July 2008 http://www.forum18.org/Archive.php?article_id=1153). (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>.

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