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UZBEKISTAN: Massive fine for having a film of Jesus' life

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

Uzbekistan has imposed a massive fine on a Protestant for owning a Christian film, Forum 18 News Service has learned. Murat Jalalov was fined - apparently on the instructions of the NSS secret police - after police raided his home. The film and other confiscated materials for analysis by the state Religious Affairs Committee, which said that the film "could be used among local ethnicities for missionary purposes" and was therefore banned. All the confiscated material was ordered to be destroyed. An official of the Committee, asked by Forum 18 what happened to confiscated religious literature ordered to be sent to the Religious Affairs Committee, claimed that "I haven't seen any". Asked whether the Committee itself destroys such literature, as court verdicts often order it to be destroyed, he responded: "We don't destroy religious literature". Such confiscations and destructions - even of texts such as the Bible and Koran - and fines are common. Separately, a man - not a religious believer - has been fined for refusing to reveal his son's whereabouts. The son is being hunted by police for his religious activity. Also, Jehovah's Witnesses have told Forum 18 that more than 100 fines have been levied on their members in 2010.

A court in Uzbekistan's capital Tashkent found a Protestant, Murat Jalalov, guilty of owning one copy of a Christian film, Protestants who asked not to be identified for fear of state reprisals told Forum 18 News Service. Jalalov narrowly avoided a 15-day jail term in the trial on 30 September, and was instead given a massive fine - apparently on the instructions of the National Security Service (NSS) secret police. Other religious believers have been fined for offering religious literature on the street. One man - not a religious believer - was fined for refusing to give police the whereabouts of his son, whom police were seeking to prosecute for his religious activity. Jehovah's Witnesses have told Forum 18 that more than 100 fines have been levied on their community members across Uzbekistan so far in 2010.

Fines for unregistered religious worship are frequent. In defiance of its international human rights commitments, Uzbekistan bans religious activity that does not have state permission. In one recent case, five members of a Samarkand [Samarqand] Baptist congregation were given large fines in September, which they failed to overturn on appeal on 14 October (see F18News 25 October 2010 http://www.forum18.org/Archive.php?article_id=1503).

Fined for one film

On the evening of 29 September, five police officers in Tashkent's Sergeli District raided the home of the Jalalov family, claiming to be conducting an identity check. The raid was led by Zufar Rashidov of the Criminal Investigation and Anti-terrorism Department, as well as local crime prevention officer S. Yuldashev. After taking Murat Jalalov's passport, the officers burst into his flat and searched it.

Police confiscated 75 DVDs and CDs. The discs included an American film about the life of Jesus produced by Campus Crusade for Christ (often known as 'the Jesus film') in Uzbek, Mel Gibson's film 'The Passion of the Christ', and an American Christian film 'Fireproof', as well as other Christian films he had bought at a bazaar. Also confiscated were films featuring Arnold Schwarzenegger and Bruce Willis, and family photographs.

The two witnesses did not identify themselves as the law requires them to do, and one of them maintained contact with unidentified people via a two-way radio. The formal record of confiscation identified the two as Dilshod Boykulov and Iles Kultaev. However, Protestants told Forum 18 that no such individuals are listed as resident in the Interior Ministry register for either Tashkent or the surrounding Tashkent Region.

Jalalov refused to make any statement to the police, and refused to sign the documents they presented to him.

The officers insisted he should come to the police station. Jalalov told them he would change his clothes first but, while the officers were waiting outside the flat, he locked them out. Despite their threats, he refused to let them in and refused to go to the police station. They told him to go the following morning, when his passport would be returned.

Protestants told Forum 18 that when he went to the police station on the morning of 30 September, Jalalov was subjected to various threats over his religious activity.

That same day, police sent the confiscated materials for analysis by the national state Religious Affairs Committee. In a response the same day, signed by Committee Chair Yusupov which Forum 18 has seen, the Committee said that 'the Jesus film' "could be used among local ethnicities for missionary purposes" and was therefore not recognised as being allowed for import into and distribution within Uzbekistan. Article 216-2 of the Criminal Code bans - against international human rights commitments - "attracting believers of one faith to another (proselytism) and other missionary activity", and imposes a maximum of three years' imprisonment as punishment (see F18News Uzbekistan religious freedom survey http://www.forum18.org/Archive.php?article_id=1170).

Trial and massive fine

The same day, 30 September, Judge H. Tulyaganov of Sergeli District Criminal Court found Jalalov guilty of violating Article 184-2 of the Code of Administrative Offences ("illegal storage, production, import, distribution of religious materials"). The judge told him he would serve 15 days in prison, even though this Article does not specify a punishment of short-term imprisonment, and told his family to bring warm clothes for him. Jalalov protested against this, and after receiving a phone call – from an unannounced caller - the judge then said he would be fined 3,164,050 Soms (11,200 Norwegian Kroner, 1,400 Euros, or 1,930 US Dollars at the inflated official exchange rate).

Jalalov told the judge he could not pay such a large sum. He was then told to return on 4 October to receive the verdict. The police told him that his passport would not be returned until he paid the fine.

Since 1 August 2010, the minimum monthly salary has been 45,215 Soms (around 162 Norwegian Kroner, 20 Euros, or 28 US Dollars at the inflated official rates). Reliable economic data is a state secret in Uzbekistan, but it is known that much of the population is economically poor.

Sources told Forum 18 that Judge Tulyaganov stated privately that he had to impose the fine, as he had received a telephone call from the NSS secret police instructing him to do this.

According to the verdict which was finally handed down on 4 October, seen by Forum 18, the court also ruled that all 75 discs be destroyed, even though only one – 'the Jesus film' – had been ruled illegal by the Religious Affairs Committee and was specified in the verdict.

Jalalov's appeal against the sentence was rejected on 20 October by Judge A. Kodyrov of Tashkent Criminal Court.

"We all know that Murat was singled out by the secret police for special treatment as no-one is taken to court just for one disc," local Protestants told Forum 18, "but the NSS secret police know that he is an active evangelical pastor."

No one at Tashkent's Sergeli District Police nor at the court were available to talk to Forum 18 on 25 October.

Fined for refusing to reveal son's whereabouts

Police visited the Kim family home in the town of Chirchik [Chirchiq] near Tashkent on 5 August, seeking Pentecostal Christian Roman Kim who, they said, faced criminal prosecution for religious activity. But his father Yury Kim – who is not a religious believer – refused to reveal the whereabouts of his son.

The following day, 6 August, Chirchik Criminal Court in Tashkent Region found Yury Kim guilty of violating Article 194 Part 1 of the Code of Administrative Offences ("failure to carry out the lawful demands of a police officer or other persons carrying out duties to guard public order"). He was then fined 45,215 Soms (160 Norwegian Kroner, 20 Euros, or 28 US Dollars at the inflated official exchange rate), according to court documents seen by Forum 18.

Police had been hunting Roman Kim after they raided a church youth meeting in Chirchik he had been taking part in on 23 June (see F18News 14 July 2010 http://www.forum18.org/Archive.php?article_id=1467). Police told his father that they want to prosecute Roman Kim under Article 201 ("violation of the procedure for organising and conducting meetings, street processions or demonstrations") and Article 240 ("violation of the law on religious organisations") of the Code of Administrative Offences. However, as police failed to locate Roman Kim within the time scale allowed to prosecute such "offences" he cannot legally be punished.

Yury Kim appealed against the fine, but on 6 September Judge A. Sadykov of the Appeals Division of Tashkent Regional Criminal Court rejected the appeal, according to the verdict seen by Forum 18.

"Yury Kim is not a religious believer, and punishing him for this is a complete nonsense," one local Protestant told Forum 18. The Protestant insisted that Yury Kim had the legal right not to give information to the police.

Fined for offering literature

Three Baptists who offered Christian literature to passers-by on the street, in Mubarek in the central Kashkadarya Region, on 7 August have been punished, local Baptists told Forum 18 on 11 October. At a local court on 21 September, Judge Sh. Rajabov fined Valery Stepanov 452,150 Soms (1,600 Norwegian Kroner, 200 Euros, or 275 US Dollars at the inflated official exchange rate). The two women, Munira Jurataeva and Nadezhda Shvindina, were each fined 135,645 Soms (480 Norwegian Kroner, 60 Euros, or 83 US Dollars).

The court ordered that 66 Christian books and leaflets in Russian should be handed to the government's Religious Affairs Committee in Tashkent. It also ordered that 47 books and leaflets in Uzbek – including copies of the New Testament – should be destroyed.

The congregation the three belong to is part of the Council of Churches Baptists, who refuse on principle to seek state registration in any of the former Soviet states.

Local Baptists pointed out to Forum 18 that Article 29 of Uzbekistan's Constitution states that "everyone shall be guaranteed freedom of thought, speech, and convictions". It also states that "everyone shall have the right to seek, obtain, and disseminate any information," but with a qualifying – and against international law - statement "except that which is directed against the existing constitutional system and in some other instances specified by law". They add that Article 31 states that "freedom of conscience is guaranteed to all. Everyone shall have the right to profess or not to profess any religion. Any compulsory imposition of religion shall be impermissible".

Fined in 10 minutes

At a ten-minute trial in the eastern town of Fergana [Farghona] on 4 August, three Council of Churches Baptists - Vladimir Andoniu, Aleksandr Naiko and Nina Nikulina – were each fined 376,800 Soms (1,300 Norwegian Kroner, 165 Euros, or 230 US Dollars at the inflated official exchange rate), church members told Forum 18. They were found guilty of violating Article 184-2 of the Code of Administrative Offences ("illegal storage, production, import, distribution of religious materials"). The court ordered that Christian books confiscated from them on 24 July, when they were running a Christian street library be destroyed.

More than 100 Jehovah's Witness fined so far in 2010

A total of 104 cases of fines levied against Jehovah's Witnesses across Uzbekistan between the beginning of 2010 and the end of August have been recorded, they told Forum 18 on 12 October. "Even this may not be a full list." Some of the fines have been as high as 4,500,000 Soms (16,000 Norwegian Kroner, 2,000 Euros, or 2,750 US Dollars at the inflated official exchange rate), with many more at over 2,000,000 Soms (7,000 Norwegian Kroner, 875 Euros, or 1,220 US Dollars).

Local Jehovah's Witnesses declined to give details of names and places, for fear of state reprisals. They note that such fines have been levied on community members for some years, 187 such fines being imposed between August 2007 and the end of 2009.

"I haven't seen any"

Officials at the government's National Human Rights Centre of Uzbekistan in Tashkent declined to put Forum 18 through to its director Akmal Saidov or deputy director Akhmat Ismailov on 25 October. They referred Forum 18 to Ikrom Saipov, but he was out of the office each time Forum 18 called.

Only an assistant to Artyk Yusupov, Chair of the Religious Affairs Committee, was available to talk to Forum 18 on 25 October. Giving his name only as Muhadi, he said he had been working there only one month. Asked about raids, confiscations of religious literature, fines, imprisonments and beatings inflicted on members of various religious communities, he referred all questions to Committee specialist Bekzot Kadyrov. However, his telephone went unanswered.

Asked what happened to religious literature confiscated by the courts and ordered to be sent to the Religious Affairs Committee, Yusupov's assistant responded: "I haven't seen any." Asked whether the Committee itself destroys such literature, as court verdicts often order it to be destroyed, he responded: "We don't destroy religious literature".

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 eg. F18News 1 July 2008 http://www.forum18.org/Archive.php?article_id=1153).

Short-term detentions

As well as fines on Protestants and Jehovah's Witnesses, members of these communities are among those regularly punished with short-term detentions of up to fifteen days under the Code of Administrative Offences.

Of the 22 religious believers known to Forum 18 to have received prison terms of 3 to 15 days so far in 2010, 19 have been Protestants and three have been Jehovah's Witnesses. The most recent known cases were five-day prison terms handed down to two

Baptists on 7 September (see F18News 23 September 2010 http://www.forum18.org/Archive.php?article_id=1491).

Forum 18 knows of 25 people – Protestant Christians, Jehovah's Witnesses and Baha'is – who received prison terms of 5 to 15 days in 2009 (see F18News 14 January 2010 http://www.forum18.org/Archive.php?article_id=1394).

"Experts in the country and abroad affirm.."

Despite Uzbekistan's many violations of religious freedom, the Foreign Ministry claimed in a 30 September statement on its website that: "Experts in the country and abroad affirm that at present the population of Uzbekistan, whether confessing one religion or another, is secured the necessary number of religious organisations and is provided all possibilities for the full carrying out of all religious rites."

The "experts" were not named, and the phrase "the necessary number of religious organisations" was not explained – even though this concept does not exist in international human rights law. (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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