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UZBEKISTAN: More short-term prisoners of conscience

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

The same Tashkent judge who sentenced three Protestants to 15-day prison terms in a late-night hearing in May 2010 again stayed up late on 12 February 2011 to hand down 15-day prison terms on a further three Protestants. Fined fifty times the minimum monthly wage at the same time were ten other Full Gospel Church members, Protestants who asked not to be identified told Forum 18 News Service. All were punished on charges of holding an "illegal" religious meeting after a police raid on a birthday party in a church member's home. The District Police Chief refused to tell Forum 18 why police under his command staged the raid. Short-term jail sentences of up to fifteen days are frequent punishments for those who conduct religious activity the government does not like. There are also many long-term Muslim, Jehovah's Witnesses and Protestant prisoners of conscience, sentenced for exercising their right to freedom of religion or belief.

In a late-night hearing on 12 February, a court in Uzbekistan's capital Tashkent handed down 15-day administrative arrests to Adylbek Utibayev, Kuanysh Asembayev and another man (whose name is not known) on charges of holding an "illegal" religious meeting, Protestants who asked not to be identified for fear of state reprisals told Forum 18 News Service from the Uzbek capital. The three are members of Tashkent's Full Gospel Pentecostal Church.

At the same time, Judge Sagdulla Ashirmatov of Mirzo Ulugbek District Court imposed fines of fifty times the minimum monthly wage, 2,468,000 Soms (8,315 Norwegian Kroner, 1,075 Euros or 1,473 US Dollars at the inflated official exchange rate) each on ten other church members.

All were punished under Administrative Code Article 201 Part 2 ("violation of the procedure for holding religious meetings, street processions or other religious ceremonies") and Article 202 ("creating the conditions for conducting unsanctioned meetings"). In addition, Utibayev was punished under Administrative Code Article 184-2 ("illegal production, storage, import or distribution of religious materials").

The same judge fined several Protestants in 2009 for religious activity, while in May 2010 he is known to have imprisoned three further Protestants for 15 days each and fined five more (see F18News 18 May 2010 http://www.forum18.org/Archive.php?article_id=1445).

Bahodiy Yuldashev, Chair of Mirzo Ulugbek District Court, said he could not say anything immediately about the case since he was "not familiar" with it. He asked Forum 18 on 22 February to call back, but when Forum 18 did so his assistant (who would not give his name) stated that Yuldashev was busy and could not talk to Forum 18.

Raid and police questioning

The court hearing followed a raid by police earlier that Saturday on Utibayev's private flat in Mirzo Ulugbek District, where around 40 church members had gathered to celebrate his daughter's 18th birthday. "A large group of uniformed and plain clothes police broke into the flat when we were about to sit down to eat," one church member complained. Police searched the flat for two hours, and then took the three men and around twenty young people to the local Police Station.

After more questioning at the Police Station, the church members were taken to Mirzo Ulugbek District Court. Despite it being 23.30 at night, the Court heard the case. Some of the young people, who were under 18, were warned and released.

Police Colonel Dilmurod Madaliyev, Chief of Mirzo Ulugbek District Police, refused to say why police under his command staged the raid. "We will not give information over the phone," he told Forum 18 on 22 February. He then put the phone down.

Food and warm clothes refused

Relatives of the three imprisoned men took food and warm clothes to Tashkent Police Detention Centre. However police refused to allow the food and clothes in without giving a reason, a relative complained to Forum 18. "Later we found out that the three men are being kept not there, but in the investigation cellars of Tashkent City Police Station."

Appeal chances illegally denied

Only two of the fined Church members were given copies of the court verdict on 16 February – but they were compelled to sign a paper saying that they received it on 12 February. The others were not given a copy of the decision. "The authorities did this so that the believers could not file complaints on time since usually 10 days are given to do so."

Other prisoners of conscience

Short-term jail sentences of up to fifteen days are frequent punishments for those who conduct religious activity the government does not like. Forum 18 knows of 25 people – Protestants, Jehovah's Witnesses and Baha'is – who received prison terms of up to 15 days in 2009, and a further 22 in 2010 (see F18News 23 September 2010 http://www.forum18.org/Archive.php?article_id=1491).

In the most recent case known to Forum 18, two Baptists, Eduard Kim and Artur Alpayev, were given seven-day jail terms on 31 January in the southern Surkhandarya Region for distributing Christian literature (see F18News 9 February 2011 http://www.forum18.org/Archive.php?article_id=1538).

Currently, there are also many long-term Muslim, Jehovah's Witnesses and Protestant prisoners of conscience, sentenced for exercising their right to freedom of religion or belief (see F18News 3 February 2011 http://www.forum18.org/Archive.php?article_id=1535).

Harassment in Samarkand Region

Meanwhile in the central Samarkand [Samarqand] Region, Protestants have told Forum 18 that regional authorities have increased harassment of churches. One local Protestant pastor, who did not wish to be named for fear of state reprisals, told Forum18 on 22 February that police had come to his flat to see if he was having a church meeting there. "I could see how he was surprised when he did not see people in our flat," the pastor said. The officer then asked him to bring copies of pages of his and his family members' passports to a police station.

A few days later, members of the same Church were summoned to the National Security Service (NSS) secret police, and asked to bring with them copies of their passports, the pastor said. An NSS secret police officer who interrogated the believers warned them that "we have many names from your Church on our list, and we will soon be calling them for questioning".

Repression of people exercising freedom religious activity is particularly fierce in Samarkand. At least seven Protestant churches have in recent years been stripped of state registration, rendering church members liable for punishment for any religious activity they undertake. A further Protestant congregation, as well as a local Jehovah's Witness group, have been repeatedly denied registration. A Hare Krishna festival was raided and halted in 2009. Eleven local readers of the works of the late Turkish Muslim theologian Said Nursi were given prison sentences of up to eleven years in 2009 after five months' pre-trial detention. Two local Jehovah's Witnesses have been imprisoned in recent years (see F18News 15 June 2010 http://www.forum18.org/Archive.php?article_id=1457).

Criminal charges against Protestant for trying to leave

A Protestant, Murot Turdiyev, has been charged under the Criminal Code Article 25 ("Preparation for, or attempting to commit, a crime") and Article 223 ("Illegal exit from or entry into Uzbekistan"). Article 25 specifies that prosecution should take place under the Article outlawing the alleged crime. The maximum penalty for breaking Article 223 is five years' imprisonment.

Turdiyev had been stopped while attempting to board a Turkish Airlines flight to Istanbul without an Exit Visa, which he mistakenly thought was unnecessary. Several members of his family have been punished for exercising their freedom of religion or belief (see F18News 9 February 2011 http://www.forum18.org/Archive.php?article_id=1538).

Senior Lieutenant Abdulla Malikov of Tashkent's Transport Police brought the charges against Turdiyev on 14 February. Asked by Forum 18 why criminal charges were being brought for a misunderstanding of the law, Malikov responded: "There is the law, and everything must be dealt with according to the law." Asked what punishment he thought would be imposed, Malikov replied that "we have not finished the investigation, but it will be the court which will decide that".

Local Departments of Entry, Exit and Legalisation of Citizenship sometimes withhold such Exit Visas – which are valid for only two years at a time – from known active religious believers, as well as from human rights defenders and opposition activists. Natalya Kadyrova, the wife of the pastor of a Protestant congregation in Tashkent, finally received her exit visa in April 2009, four months after she applied. She had to lodge official protests to overturn the initial denial (see F18News 8 June 2009 http://www.forum18.org/Archive.php?article_id=1307). (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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