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UZBEKISTAN: An "unsanctioned meeting in a private home" - with a bomb?

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

Uzbekistan continues punishing people exercising the right to freedom of religion or belief without state permission, Forum 18 News Service notes. In one incident, police and the NSS secret police raided Protestants meeting in the home of Natalya Kim in Yukori-Chirchik, claiming at the time, local Protestants said, that a bomb was in the home. While searching for the alleged bomb, police confiscated Christian books and a laptop. Subsequently, 14 members of the unregistered Protestant Church were fined for an "unsanctioned meeting in a private home". The verdict was supplied after the legally required time, thus preventing an appeal being lodged. Natalya Kim herself was given the biggest fine, of 60 times the minimum monthly salary. Investigator Farhod Raimkulov told Forum 18 that "when many people gather in a certain place, it is the local police officer's duty to inspect and see what is happening". When Forum 18 asked whether the police can or should raid Inspector Raimkulov's home when he holds a party or some other event, he claimed that he was not part of the raid on Kim's home.

Uzbekistan has continued to punish people exercising the right to freedom of religion or belief without state permission, Forum 18 News Service notes. Between February and April, 28 Protestants were fined and four were warned for the "offence", with three Baptists also being fined for not declaring their personal Bibles while crossing the border from Kazakhstan into Uzbekistan. The fines and warnings were accompanied by the confiscation of religious literature.

Bomb disposal the Uzbek way..

In the region around the capital Tashkent, eight police and National Security Service (NSS) secret police raided the home of Natalya Kim in Yukori-Chirchik on 27 February, Protestants who wished to remain unnamed for the fear of state reprisals told Forum 18 on 3 May. Kim had – according to a subsequent court verdict - "arranged an unauthorized gathering in her home and led a religious meeting". Local Protestants told Forum 18 that police claimed at the time that a bomb was hidden in Kim's home.

Yukori-Chirchik Police's Investigator Farhod Raimkulov, Criminal Investigation Department Agent Zh. Yunusov, and Crime Prevention Inspector S. Yunusov (first names not given by officials) confiscated Christian books while searching for the alleged bomb. The books included four volumes of Matthew Henry's Commentaries on New Testament books, copies of books on the Old Testament characters of Ruth, Bathsheba, Tamar, Joseph, and Rahab, books on the biblical books of Second Chronicles and the Letter to the Philippians, and a book entitled Spiritual Warfare by an American author, Kay Arthur. The officials also confiscated five notebooks from Kim with her notes on living as a Christian. They then also searched the car of Nikolai Lee, a Protestant who was present, confiscating his Toshiba-A-215 laptop computer.

"It is the local police officer's duty to inspect and see what is happening"

Investigator Raimkulov denied that he participated in the raid. "It was the local Police and other officers", he claimed to Forum 18 on 8 May. He added that the information was given to the police that "Jehovah's Witnesses are gathering in that home". Asked why the police should raid a group of people peacefully meeting together, he responded: "When many people gather in a certain place, it is the local police officer's duty to inspect and see what is happening".

When Forum 18 asked whether the police can or should raid Inspector Raimkulov's home when he invites his friends and colleagues over for a party or some other event, he repeated his claim that he was not part of the raid.

The officer on duty (he did not give his name) at Yukori-Chirchik Police refused to put Forum 18 through to the local Police Chief, referring the enquiry to Officer Alisher (last name not given), in charge of all local police officers. Alisher's phone was not answered.

Fines for an "unsanctioned meeting in a private home"

Judge Mashrab Mirzayev of Yukori-Chirchik District Criminal Court on 9 April fined 14 members of the unregistered Protestant

Church for an "unsanctioned meeting in a private home", according to the verdict which Forum 18 has seen. The Protestants received a copy of the verdict on 2 May, 23 days after the hearing on 9 April.

Article 311, Part 2 of the Code of Administrative Offences requires verdicts to be issued within three days. Failure to issue the written verdict on time prevented an appeal, as appeals have to be lodged within ten days of the verdict being issued.

Oyniso Magdaziyeva, Dilbar Abdumuminova, Lobar Khusainova, Yelena Senatova, Gelya Em, Svetlana Kim (Robertovna), Svetlana Kim (Georgiyevna), Tatyana Tyan (Leonidovna), Tatyana Tyan (Anatolyevna), Lyudmila Kim, Nikolai Lee, Alfiya Garelschina and Yekaterina Kim were all fined 10 times the minimum monthly salary, or 629,200 Soms (1,945 Norwegian Kroner, 257 Euros, or 333 US Dollars at the inflated official exchange rate) each.

All 14 were fined under the Administrative Code's Articles 184 ("Production or storage with the aim of distribution of materials containing ideas of religious extremism, separatism, and fundamentalism, calls to disorders directed at either violent action against citizens or creation of panic among the population") and Article 240 ("Violation of the Religion Law") Part 2 ("Attracting believers of one confession to another (proselytism) and other missionary activity").

As is frequently the case with Uzbek "law", there is no legal definition of what exactly the defined "offences" are, leaving much room for arbitrary official interpretations.

Article 184 imposes punishments of a fine of between five and 10 times the minimum monthly salary for ordinary citizens, fines of between 10 and 15 times the minimum monthly salary for officials, or administrative arrest of up to 15 days. Confiscation of the materials and their means of production and distribution is also imposed.

Article 240 Part 2 of the Administrative Code imposes punishment of fines of between 50 and 100 times the minimum monthly salary, or administrative arrest for up to 15 days.

Natalya Kim herself was given the biggest fine, of 60 times the minimum monthly salary or 3,775,200 Soms (11,680 Norwegian Kroner, 1,550 Euros, or 2,000 US Dollars). In addition to being found guilty of breaking Articles 184 and 240 Part 2, she was also convicted of breaking Administrative Code Article 202 ("Creation of the conditions for conducting unsanctioned gatherings, meetings, and street demonstrations").

Under Article 202, "Granting to the participants of unsanctioned gatherings, meetings, and street demonstrations premises or other property (means of communication, copying and other machines, equipment, transportation), or the creation of other conditions for conducting such activity" is punished with a fine of between 50 and 100 times the minimum monthly salary for ordinary citizens, and between 70 and 150 times the minimum monthly salary for officials.

Judge Mirzayev also ordered the Christian books seized to be destroyed. All religious literature of any kind in Uzbekistan is under tight state censorship. Courts frequently order that religious literature confiscated during raids - including Bibles and Muslim literature - be destroyed (see eg. F18News 16 March 2012 http://www.forum18.org/Archive.php?article_id=1679).

Alleged and often undefined "religious extremism" is a focus of much official hostility. On 2 May the state-controlled Turkiston newspaper reported that at a meeting of a Tashkent vocational school for industry, speeches claimed that religious dogmatism, extremism and terrorism were "primary threats against our country". "They also noted that destructive forces based abroad, who defame socioeconomic reforms in Uzbekistan, are joining forces with religious extremist organizations to fulfil their malicious goals such as destroying stability in our country," the newspaper stated.

"Only one of them received a large fine"

Bakhtiyor (who did not give his last name), an official who answered Judge Mirzayev's telephone on 8 May, told Forum 18 that the Judge "is busy hearing a case," and that he did not know when he would be available for comments.

"Only one of them received a large fine," he said referring to Kim when asked why such large fines were given. "That is because she was prosecuted under the same charges before." (Kim had previously been fined 40 times the minimum monthly salary – see F18News 8 June 2009 http://www.forum18.org/Archive.php?article_id=1307.) Bakhtiyor did not answer further questions, and then put the phone down.

More fines and more literature destruction

Churches belonging to the Baptist Council of Churches refuse on principle to register their churches with the state. Making registration a precondition for exercising freedom of religion or belief is against the binding international human rights agreements Uzbekistan has formally promised to implement. Recently, members of this denomination's churches in two separate locations have been fined for the unregistered exercise of freedom of religion or belief.

Judge Ilhom Rahmankulov of Kashkadarya Region's Mubarek District Criminal Court on 2 April fined four local Baptists under Administrative Code Article 240 ("Violation of the Religion Law") Part 1 ("Carrying out of unauthorised religious activity, evasion by leaders of religious organisations of registration of the organisation or its charter, the organisation and conduct of worship by religious ministers and of special children's and youth meetings, as well as vocational, literature and other study groups not relating to worship"). Punishments for breaking Part 1 range from fines of 50 to 100 times the minimum monthly salary, or administrative arrest for up to 15 days.

Vladimir Khanyukov and Valeriy Stepanov were fined five times the minimum monthly salary, or 314,600 Soms (974 Norwegian Kroner, 129 Euros, or 167 US Dollars). Yelena Tursunova and Yekaterina Dyu were fined the minimum salary, or 62,920 Soms (195 Norwegian Kroner, 26 Euros, or 33 US Dollars). Raisa Khanyukova, Yelena Petrova, Zoya Kononenko and Alla Dyu were warned for their "offence".

Judge Rahmankulov also ordered 22 Christian books, eight brochures, six magazines, five CDs, 48 calendars, 396 invitation cards, and 2 hymn books with notes confiscated from the Baptists to be sent to the state Religious Affairs Committee. The books included several Gospels of St Luke and St John in Russian.

Judge Rahmankulov on 8 May refused to comment on his decision. "I can only give my comments through the Foreign Ministry," he told Forum 18. "Please send your written questions to the Ministry."

In the central southern city of Karshi [Qarshi], Judge Makhrafat Ochilova of Karshi Criminal Court on 7 February fined 10 Baptists. Svetlana Shishova, Farhod Khamrayev, Viktor Toshpulatov and Mikhail Balykbayev each received 503,360 Som fines (1,558 Norwegian Kroner, 206 Euros, or 267 US Dollars). Svetlana Andreychenko, Munira Gaziyeva, Viktoriya Toshpulatova, Ekaterina Andreychenko, Yelizaveta Rahimova and Nargiz Balykbayeva were each fined 377,520 Soms (1,168 Norwegian Kroner, 155 Euros, or 200 US Dollars).

All 10 were convicted under Administrative Code Article 240 Part 1 and Article 241 ("Teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organisation, as well as teaching religious beliefs privately"). Punishments for breaking Article 241 range from fines of 5 to 10 times the minimum monthly salary, or administrative arrest for up to 15 days.

Judge Ochilova also ordered that 23 Christian magazines confiscated from the Baptists be destroyed.

"Why should we declare our personal Bibles in a Customs Declaration ?"

Confiscations of literature at border crossing points also continue. Along with this, bans on entry and exit from the country on Muslims, Christians and Jehovah's Witnesses continue (see F18News 11 April 2012 http://www.forum18.org/Archive.php?article_id=1688). Customs Inspectors I. Kodyrov, Sh. Khuzhanov and S. Boliyev (first names were not given by the officials) at the Gisht-Kuprik border crossing point between Uzbekistan and Kazakhstan on 13 February confiscated personal Bibles from members of the state-registered Baptist church in Tashkent.

Timofei Peichev, Vasilii Rubanov, and Arkadiy Belik were stopped by customs officials for not declaring their personal Bibles, Baptists who wished to remain unnamed for fear of state reprisals told Forum 18 on 26 April. "Why should we declare our personal Bibles in a Customs Declaration ?", Baptists asked.

Judge N. Rustamov of Tashkent Region's Zangiota District Criminal Court on 21 March fined in their absence Peichev and Rubanov 125,840 Soms (390 Norwegian Kroner, 52 Euros, or 67 US Dollars) under the Administrative Code's Article 227-22 Part 1 ("Non-declaration or inaccurate declaration of goods transported through the customs border"). This Article imposes fines for ordinary citizens of between five and 10 times the minimum monthly salary with confiscation of goods, and for officials between seven and 15 times the minimum monthly salary.

Judge Rustamov also ordered that the Bibles be sent to the state Religious Affairs Committee in Tashkent.

Asked why personal Bibles were confiscated and why charges were brought, Customs Investigator Major Tahir Nasyrhodjayev of Tashkent Regional Customs Investigation Department, who led the case, on 2 April insisted to Forum 18 that the Baptists "broke the law". Asked why personal Bibles should be declared, Major Nasirhodjayev stated that customs officials will seize "even an undeclared 500 US Dollars". When Forum 18 asked why an official warning was not given instead of fines, Major Nasyrhodjayev responded: "I only led the investigation, I did not make the confiscations".

Gisht-Kuprik Customs officials, who refused to give their names, refused to comment on the confiscations or put Forum 18 through to the responsible officials. (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://education.nationalgeographic.com/education/mapping/outline-map/?map=Uzbekistan>.

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