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UZBEKISTAN: Teaching Islam to children a crime, raids and large fines continue

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

Uzbekistan is currently prosecuting a Muslim father and son who taught the Koran to school-age children in Tashkent Region, the court confirmed to Forum 18 News Service. Both men - Mirmuhiddin Mirbayzaiyev and his son Sirojiddin - face the possibility of up to three years in jail. Parents who brought their children to the Islamic religious lessons have been fined. Elsewhere, in Karshi, a member of a Baptist church, Svetlana Andreychenko, has like the Mirbayzaiyevs been prosecuted for exercising her right to freedom of religion or belief in her own home. She has been fined 50 times the minimum monthly salary. Her Church has been repeatedly raided during Sunday worship, with worshippers being taken to a police station for questioning. A state "expert analysis" of books confiscated in Andreychenko's home stated that reading them "might give rise in the individual to feelings of interest towards this religion". Other raids on meetings, prosecutions, and fines for exercising freedom of religion or belief continue.

The criminal trial of a Muslim father and son who taught the Koran to school-age children has begun in Tashkent Region, the court confirmed to Forum 18 News Service. Both face the possibility of punishments that could be up to three years in jail. Parents who brought their children to the Islamic religious lessons have been fined, though officials refuse to give details of the punishments. A member of a Baptist church in Karshi [Qarshi] in southern Uzbekistan, Svetlana Andreychenko, has been fined 50 times the minimum monthly salary for teaching religion illegally. She contests the fine, insisting that her Church does not allow women to teach in church. Her Church has been repeatedly raided during meetings for Sunday worship.

The government's Religious Affairs Committee in the capital Tashkent – which conducts "expert analyses" of confiscated literature on behalf of police and the courts - said Christian books confiscated from Andreychenko's home did not contain calls for the violent overthrow of the government. But it said some books in Kazakh were banned, as they could be used for unspecified "missionary activity". Sharing any religious beliefs is illegal in Uzbekistan.

Police and other officials continue to confiscate religious literature, including the Koran and Bible, from private homes and fine those who possess such works in their own home (see F18News 19 July 2013

http://www.forum18.org/archive.php?article_id=1859).

Teaching Islam to children a crime

Police in Chinoz District of Tashkent Region raided the private home of the Mirbayzaiyev family, where Mirmuhiddin Mirbayzaiyev and his son Sirojiddin had been teaching the Koran privately to school-age children. Police confiscated religious books – many of them in Arabic – from his home.

The duty officer at Chinoz District Police told Forum 18 on 9 July that he had "no information" about the raid and subsequent criminal and administrative cases. He referred all enquiries to police chief Alisher (he would not give his surname). However, his telephone went unanswered between 9 and 11 July.

A criminal case was launched against both Mirmuhiddin and Sirojiddin Mirbayzaiyev, apparently under Criminal Code Article 229-2 ("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 range from fines of 50 to 100 times the minimum monthly salary, and corrective labour or imprisonment for up to three years.

As Chinoz District Criminal Court is without a judge at the moment, a court official told Forum 18, all cases are being heard in Okkurgan District Criminal Court under its one Judge Kosymjon Mukhamedjanov.

Despite a report on the state-run national television channel "Uzbekistan" on 4 July that Mirmuhiddin and Sirojiddin Mirbayzaiyev have already been convicted, an official at Okkurgan District Criminal Court, who did not give his name, told Forum 18 on 9 July that the trial has not yet concluded. Forum 18 spoke to Judge Mukhamedjanov on 10 July but he refused to give any information about the trial.

Uzbek television also noted that parents whose children had studied with the Mirbayzaiyevs had been fined. The court refused to tell Forum 18 how many parents had been fined and when these fines had been handed down.

Mirmuhiddin Mirbayzaiyev told the television station that he repented, but said that his aim was to teach the Koran to children. "It is very upsetting to see parents, who, despite such great opportunities, ask half-educated people with no proper religious knowledge to teach their children on religious matters," the programme said. It insisted that such private religious teaching is unnecessary as Islamic education is provided through official channels.

Adults meeting together to study the Koran and pray are also targeted. For example, Gayrat Khusanov and Shuhrat Yunusov, two Muslim prisoners of conscience were given seven year jail terms in November 2012, for meeting with seven others to read the Koran and pray together. Appeals against the sentences were rejected on 20 December that year (see F18News 20 December 2012 http://www.forum18.org/archive.php?article_id=1785).

One meeting, one raid

In another case where a prosecution was brought for meeting without state permission in a home, a member of a Council of Churches Baptist congregation in Karshi in Kashkadarya Region, Svetlana Andreychenko, was fined 50 times the minimum monthly salary, fellow Baptists told Forum 18 on 15 June. The fine followed a raid by about 15 officers on the Church's Sunday morning meeting for worship in her home on 21 April. The raid was led by a National Security Service (NSS) secret police officer, whose name appeared to be Alisher, Baptists told Forum 18.

During the raid, police searched Andreychenko's home and even children's prams and pushchairs looking for religious literature. They seized 22 books, two religious notebooks, 12 exercise books, 66 postcards, two notebooks, nine discs, 18 posters and one audio-cassette "of religious content", according to court documents.

Police then loaded all those present – 78 adults and children – into buses and took them to the police station for questioning, where they were held for more than three hours. Officers swore at them and even threatened to shoot them, Baptists complained to Forum 18. Police began summoning the head teachers of schools where the children were studying.

The following day, 22 April, the mother of seven of the children present, Viktoriya Tashpulatova, was summoned to her children's school.

The authorities have in the past ordered religious leaders to stop children attending meetings for worship (see F18News 8 December 2011 http://www.forum18.org/archive.php?article_id=1645). The authorities have also via school teachers bullied and harassed school pupils who attend places of worship including mosques and Christian churches (see F18News 12 January 2009 http://www.forum18.org/Archive.php?article_id=1239).

Another meeting, another raid

On 23 June, police and other unidentified men in plain clothes again raided the Karshi Baptist Church's meeting for Sunday worship. The intruders immediately began to film the premises and those present. Then each church member was summoned one by one to be photographed, to have their details recorded, and to have their possessions searched.

"They took New Testaments, hymnbooks, tracts and bookmarks with a Christian theme," Baptists complained to Forum 18. "They even checked children's bags and insisted on photographing them." Baptists complained that officers treated them "crudely", shouting at them and pushing them.

Police forced four church members – two men and two women – to remain behind and they searched the whole house, even though Andreychenko, the owner, was away. Officers then took four posters with Biblical quotations from the wall.

When they took air-conditioners from the walls, church members asked why they were seizing them. Major Alisher Makhmudov, head of the local police Criminal Investigation Department, responded "that they must fight against the believers and do everything they could to prevent them from gathering", church members told Forum 18. Temperatures in Karshi that day reached over 40 degrees Celsius (104 degrees Fahrenheit). He then threatened to confiscate Andreychenko's home.

Police take money and property

Officers took 95,200 Soms (275 Norwegian Kroner, 35 Euros or 45 US Dollars at the inflated official exchange rate) they found, as well as a DVD player with speakers and a microphone. They did not hand over a record of confiscation, Baptists complained to Forum 18. Police also called in officials from the gas and electricity companies to check for irregularities, but they found nothing.

Police intended to take two church members – Viktor Tashpulatov and Mikhail Balykbayev - to the police station, but when they

saw all the church members still waiting outside the gates of the house they changed their mind. They took one church member Obid, who had refused to give his personal details. Tashpulatov and a dozen other church members went to the police station to find out what had happened to Obid. Tashpulatov was then detained, but both were freed early in the evening.

Officers asked Obid who led the Church, how much he was paid to attend, and why he went to the church as Russians were there. He wrote in a statement that "I went to the meetings and will continue to go to the meetings".

Officers at Karshi city police told Forum 18 on 9 July that Major Makhmudov was off sick. No other officer was prepared to discuss the repeated raids on the Baptist church.

Fined 50 times minimum monthly salary

Andreychenko told Karshi Criminal Court on 29 May that the Church had been meeting in her home which, she explained, was their right under Uzbekistan's Constitution. (The church, like all Council of Churches Baptist congregations, refuses to apply for state registration.) She denied that she had conducted any religious teaching, insisting that her Church does not allow women the right to teach in church. However, Judge Otabek Mustafayev rejected her arguments.

Judge Mustafayev found Andreychenko guilty of violating Article 240, Part 1 and 241 of the Code of Administrative Offences. He fined her 50 times the minimum monthly salary, or 3,979,500 Soms (11,500 Norwegian Kroner, 1,500 Euros or 1,900 US Dollars at the inflated official exchange rate).

Article 240 ("Violation of the Religion Law") Part 1 punishes: "Carrying out of unauthorised religious activity, evasion by leaders of religious organisations of registration of the charter of the organisation, 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 range from fines of 50 to 100 times the minimum monthly salary to being jailed for up to 15 days.

Article 241 punishes: "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 range from fines of 5 to 10 times the minimum monthly salary, or being jailed for up to 15 days.

The verdict notes that she "provided premises to participants of an unapproved religious meeting where she, together with 37 minors and 39 adults belonging to the Baptist Church conducted a special meeting not related to the carrying out of worship".

Despite repeated calls, Forum 18 was unable to reach Judge Mustafayev between 9 and 11 July. He was either in hearings, his colleagues said, or not in the court.

"Feelings of interest towards this religion"

The Court drew on an "expert analysis" of the confiscated literature prepared by the government's Religious Affairs Committee. This admitted that the items contained no "public calls to unconstitutional change of the existing state structure, the seizure of power or the removal from power of the legally elected or appointed official representatives", nor did they "contain ideas of religious extremism, separatism and fundamentalism".

The "expert analysis" noted that reading these books "might give rise in the individual to feelings of interest towards this religion". It stressed that Kazakh-language calendars and a leaflet "The price of your soul" "could be used for missionary activity" and were therefore "banned for import or storage on the territory of the Republic".

So-called "expert analyses" are routinely used to justify confiscations and prosecutions relating to books and other literature (see eg. F18News 20 May 2009 http://www.forum18.org/Archive.php?article_id=1298).

No one at the Religious Affairs Committee in Tashkent was prepared to comment on why it had given an assessment that Andreychenko's Christian books should be banned, as they might spark interest in a faith. Officials at the Committee's "Expertise Department" – which conducts analyses of religious literature – told Forum 18 each time it rang on 9 and 10 July that Department head Sobitkhon Sharipov had already left for the day, was at lunch or does not exist. They said no one else could answer Forum 18's questions.

Gazalkent raid and fines

On 9 June, nine officers from Bostanlyk District Police raided a Baptist church Sunday morning meeting as it was concluding in a private home in Gazalkent in Tashkent Region, Protestants complained to Forum 18. The church meets in the home of 83-year-old church member Lidiya Maksimenko. Officers did not confiscate any religious literature.

Nine church members – including Maksimenko - were detained and taken to the District police station. There they were threatened

with beatings and a fabricated case against them. Three church members wrote statements under pressure, but the rest refused.

At a three-minute hearing which began at 9.30 pm on 11 June, Judge Ikrom Obidov of Bostanlyk District Criminal Court found the 65-year-old Nikolai Savorovsky guilty of violating the Administrative Code's articles 201, Part 2 and 202, Part 1. He fined him 80 times the minimum monthly salary, or 6,367,200 Soms (18,500 Norwegian Kroner, 2,300 Euros or 3,000 US Dollars), according to the verdict seen by Forum 18.

Article 201, Part 2 punishes: "Violation of the procedure for holding religious meetings, street processions, or other religious ceremonies". This is punishable with a fine of between 60 and 80 times the minimum monthly salary, or being jailed for up to 15 days;

Article 202 punishes: "Granting to the participants of gatherings, meetings, and street demonstrations, that are without state permission, premises or other property (means of communication, copying and other machines, equipment, transportation), or the creation of other conditions for conducting such activity". This offence is punishable by 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.

In the same hearing, Judge Obidov found fellow church member Timur Zagvozdin guilty under the Administrative Code's Article 195 ("Resisting the orders of police officers"). He fined him four times the minimum monthly salary, or 318,360 Soms (920 Norwegian Kroner, 115 Euros or 150 US Dollars).

Falsified court decision?

Protestants close to the case complained to Forum 18 that Judge Obidov had falsified the court decision. It claimed:

that Zagvozdin had no citizenship, when he is a citizen of Uzbekistan;

that a named Russian/Uzbek translator had been present at the hearing, but no translator was present;

and that two police officers who had participated in the raid – Shalovat Abdurashidov of the Criminal Investigation Department and Timur Umarov – had been questioned in court, but they were not present in court.

Forum 18 tried to reach Judge Obidov at the court on 10 July. His assistant – who did not give her name – consulted with a man in the background. But when Forum 18 asked about the case told Forum 18 that the judge was not present and would not be in the court for the rest of the day.

Judge Obidov has in the past imposed harsh sentences against individuals exercising their right to freedom of religion or belief. For example, in November 2012, he fined Vadim Shim (a member of an unregistered Protestant church) 100 times the minimum monthly salary (see F18News 29 November 2012 http://www.forum18.org/archive.php?article_id=1773). In December 2012, Judge Obidov fined four Protestants in absentia 50 times the minimum monthly salary (see F18News 31 January 2013 http://www.forum18.org/archive.php?article_id=1797).

Forum 18 also tried to reach Abdurashidov and Umarov at Bostanlyk District Police. However, colleagues told Forum 18 on 11 July that neither was in the office.

Mubarek fines

Following a 24 March raid on a Council of Churches Baptist congregation meeting for worship in Mubarek, in Kashkadarya Region, four church members were fined and a criminal case against three others appears to have been launched, Baptists told Forum 18 on 1 June.

The NSS secret police officer who led the March raid told the Baptists that "all believers are backward-looking fanatics who drag society down" (see F18News 12 April 2013 http://www.forum18.org/archive.php?article_id=1824).

On 16 May, Judge Ilhom Rakhmankulov of Mubarek District Criminal Court found all four had violated Article 240, Part 1 ("Carrying out of unauthorised religious activity, etc.") of the Code of Administrative Offences. Said Tursunov was fined five times the minimum monthly salary, or 397,950 Soms (1,150 Norwegian Kroner, 150 Euros or 190 US Dollars).

The three female church members - Zoya Kononenko (who is 80 years old), Yelena Petrova and Alla Dyū – were each fined one month's minimum monthly salary, or 79,590 Soms (230 Norwegian Kroner, 30 Euros or 40 US Dollars).

The Judge ruled that religious literature confiscated during the raid should be handed to the government's Religious Affairs Committee.

Criminal case launched

Judge Rakhmankulov also warned that a criminal case had been launched against three other church members, Vladimir Khanyukov, Nadezhda Shvindina and Yelena Tursunova.

In April 2012, Rakhmankulov imposed fines on Khanyukov, Tursunova and two other church members (see F18News 9 May 2012 http://www.forum18.org/Archive.php?article_id=1699).

Appeal against criminal conviction fails

Sharofat Allamova, a 44-year-old Protestant from Urgench [Urganch] in the north-western Khorezm Region, has failed in her appeal to overturn her criminal conviction. On 29 May, a panel of three judges at Khorezm Regional Criminal Court chaired by Judge Kh. Mukhamedjanov dismissed her appeal in a ruling seen by Forum 18.

Allamova was sentenced to 18 months' corrective labour at Urgench City Criminal Court on 11 April under Article 244-3 of the Criminal Code for the "illegal production, storage, import or distribution of religious literature". She will be placed in a low-paid state job, her salary being further reduced by having to pay 20 per cent of it to the state during her sentence (see F18News 21 May 2013 http://www.forum18.org/archive.php?article_id=1838). (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=1862.

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.

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