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UZBEKISTAN: Pensioners owning Koran and Bibles fined over two years' pension

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

After simultaneous police raids on four homes in a village near Uzbekistan's capital, two pensioners and two other local Protestants had religious literature including the Koran and Bibles confiscated, Forum 18 News Service has learnt. The four were also fined a combined total of 230 times Uzbekistan's minimum monthly wage. Many followers of a variety of beliefs are afraid to keep religious literature in their homes, a cross-section of people have told Forum 18. Noting officials ignoring published law in carrying out raids and other repression, a local Protestant told Forum 18 that "You won't find this in any law". The state's pressure is so strong that some believers think they have no choice but to destroy their own sacred texts. One Protestant – who asked not to be identified for fear of state reprisals – cited with distress cases where individuals have reluctantly destroyed their own Christian books, including Bibles. "I personally know of three such cases", they told Forum 18. "Many other Christians said to me they can't bring themselves to destroy their Bibles."

After coordinated police raids on four Protestant-owned homes in a village near Uzbekistan's capital Tashkent, two pensioners in their sixties and two other local Protestants had Christian and other literature seized from their homes, Forum 18 News Service has learnt. In late June, the four home-owners were fined a combined total of 230 times Uzbekistan's official minimum monthly wage for having the Koran, Bibles, as well as other works including a non-religious book by American author Dale Carnegie.

Many in Uzbekistan – including Muslims, Protestants, and Jehovah's Witnesses - have long complained about the state's compulsory censorship of all religious literature and frequent confiscations of such literature (see F18News 1 July 2008 http://www.forum18.org/Archive.php?article_id=1153). One official operating the censorship told Forum 18 they "do not understand why normal religious books need to be confiscated or destroyed" (see F18News 27 October 2011 http://www.forum18.org/archive.php?article_id=1630).

"You won't find this in any law"

Many followers of a variety of beliefs are afraid to keep religious literature in their homes, a cross-section of people have told Forum 18. Baptists, for example, told Forum 18 on 15 June that "Church members have repeatedly been warned recently that keeping a Bible at home is allowed, but reading it can only be done at specially designated places for carrying out religious rituals".

Such warnings are set out in "expert analyses" of confiscated literature by the government's Religious Affairs Committee, and presented to courts to justify confiscations and fines on owners. "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).

Officials often ignore published law in carrying out raids, prosecutions, and punishments against people who keep religious literature without state permission in their homes. "You won't find this in any law", another Protestant – who asked not to be identified for fear of state reprisals – pointed out to Forum 18 from Tashkent on 16 July.

Pressured to destroy their own sacred texts

Many Christians have hidden their religious literature, the Protestant noted. Other Christians have taken all the books they have to state-registered places of worship.

The state's pressure is so strong that some believers think they have no choice but to destroy their own sacred texts. For example, the Protestant also cited with distress cases where individuals have reluctantly destroyed their own Christian books, including Bibles. "I personally know of three such cases," the Protestant told Forum 18. "Many other Christians said to me they can't bring themselves to destroy their Bibles."

Studying sacred texts with others and praying together with them in a private home can lead to severe punishments. This is

especially so for Muslims, who face long jail sentences for this "offence" (see eg. F18News 25 June 2013 http://www.forum18.org/archive.php?article_id=1851). Followers of other faiths, such as Christianity, are typically given large fines for this "offence" (see eg. 17 December 2012 http://www.forum18.org/archive.php?article_id=1783). In recent case, one Protestant was given one and half years of corrective labour, after being convicted under criminal charges of the "illegal production, storage, import or distribution of religious literature" (see F18News 21 May 2013 http://www.forum18.org/archive.php?article_id=1838).

Denials of access to sacred texts and the possibility of openly praying with others does not stop if someone is jailed. Prisoners of conscience and ordinary prisoners have both experienced being banned from praying openly or reading religious literature such as the Koran or Bible (see F18News 7 May 2013 http://www.forum18.org/archive.php?article_id=1832).

Women particularly targeted

The de facto state ban on religious literature in private homes causes particular difficulties for those who do not have state-registered places of worship. Council of Churches Baptists, for example, refuse to seek state registration, arguing – in line with international human rights law - that permission is not necessary to meet for worship. Contrary to Uzbekistan's international human rights obligations, the state therefore bans Council of Churches Baptists from having places of worship where religious literature might be kept.

Baptists have also experienced that women are increasingly targeted by the authorities. "Ever more frequently, not only brothers but sisters too suffer persecution," Baptists have told Forum 18. This pattern of male officials particularly targeting women has been experienced by many people in Uzbekistan. Violence and torture, or threats of this, by police and other officials are "routine" the United Nations Committee Against Torture has found. Women in particular are often targeted by such assaults, including sexual violence (see eg. F18News 14 August 2012 http://www.forum18.org/Archive.php?article_id=1732).

Four homes simultaneously raided

In a simultaneous operation at lunchtime on 10 June, about 15 police officers in three separate groups raided four private homes belonging to local Protestants in the village of Tuyabuguz in Urtachirchik District of Tashkent Region, Protestants told Forum 18. Present during at least one of the searches were Naima Malahova, chair of the mahalla (local district) committee, and Fahriddin Riskulov, head of the village administration.

Mahalla committees are the lowest level of administration, and restricting freedom of religion or belief is among their many duties (see eg. F18News 27 March 2007 http://www.forum18.org/Archive.php?article_id=936).

At the home of Mukarram Akbarhojayeva, police confiscated 69 books, 37 of which were in English (including a modern edition of the 16th-century Geneva Bible). Also seized were two videocassettes with English-language talks by the deceased American speaker Kathryn Kuhlman, and a non-religious book by the deceased American writer Dale Carnegie. The books belonged to another local Protestant who has been living in the United States for the past two years.

In the adjacent home of Dilorom Buriyeva, a Bible and 15 other Christian books were confiscated, as well as eight leaflets with the text of Christian songs. She was not initially sure how many books had been seized, as contrary to formal Uzbek law no record of confiscation was given, only finding out during the subsequent court hearing.

In the nearby home of Turdihon Azizova, police confiscated one book "The Prophets", an Uzbek-language DVD of the film "The Life of Jesus", her computer hard drive, and a notebook.

At the home of Gulchehra Mambetova, police confiscated a Bible, four Uzbek-language Bibles or Bible-related books published officially by the Uzbek Bible Society, and ten DVDs.

All the confiscated books and other materials were sent to the government's Religious Affairs Committee in Tashkent. On 18 June it issued "expert analyses" of the confiscated books, describing some as promoting "missionary activity" or "extremism". Neither of these "offences" are in Uzbek law clearly defined, leaving much scope for arbitrary official actions and punishments.

"Expert analyses"?

"Expert analyses" by the Religious Affairs Committee have described books as "extremist", or "promotes proselytism", or "promotes inter-ethnic hatred", or not authorised to be kept at home, without being clear about what is meant.

One "analysis", used to prosecute a Baptist in Karshi in May, said her books were banned because they "might give rise in the individual to feelings of interest towards this religion". She was then fined 50 times the minimum monthly wage (see F18News 11 July 2013 http://www.forum18.org/archive.php?article_id=1857). Using such "expert analyses", courts also order such books confiscated, destroyed or handed over to the Committee.

At times, the Religious Affairs Committee in Tashkent produces "expert analyses" with a speed that is extraordinary if there is any "analysis" - even if books are confiscated in a location far from the capital (see eg. F18News 29 November 2012 http://www.forum18.org/archive.php?article_id=17733). "Such Religious Affairs Committee 'expert analyses' can be very short – just one page," a Tashkent Protestant told Forum 18. They added that individuals punished for owning religious books often only see the short "expert analyses" condemning their religious books when they get to court to be fined. Challenging such "expert analyses" is impossible.

Out to lunch, out of the office, or does not exist?

Forum 18 tried to find out from the Religious Affairs Committee why it condemns so many religious books – including holy books of a variety of faiths - as illegal. Sobitkhon Sharipov, head of its "Expertise" Department, was out to lunch, out of the office, or did not exist each time Forum 18 called between 9 and 17 July. No other Committee official was prepared to comment, repeatedly putting the phone down.

Numerous court decisions have ordered confiscated books, including copies of Islamic texts and the Bible, to be destroyed (see eg. F18News 16 March 2012 http://www.forum18.org/archive.php?article_id=1679). Religious believers have repeatedly expressed outrage that Uzbekistan officially destroys their sacred texts (see eg. F18News 31 January 2013 http://www.forum18.org/archive.php?article_id=1797). No official has been prepared to explain to Forum 18 how such sacred texts are destroyed.

Pensioners fined over two years' pensions

In separate hearings on 25 June, Judge Tolibjon Haydarov of Urtachirchik District Criminal Court found the four home owners guilty of violating Article 184-2 of the Code of Administrative Offences. All were fined.

Article 184-2 bans: "Illegal production, storage, or import into Uzbekistan with a purpose to distribute or distribution of religious materials by physical persons". Punishments are a fine of between 50 and 150 times the minimum monthly wage, "with confiscation of the religious materials and the relevant means of their production and distribution".

In all four cases the Judge ordered the confiscation of all the religious literature and materials – as well as non-religious literature – and that they should all be given to the government's Religious Affairs Committee, according to the verdicts seen by Forum 18. They do not reveal what the Committee is to do with the books and other material.

Buriyeva, who is in her early sixties, was fined 50 times the minimum monthly wage or 3,979,500 Soms (11,500 Norwegian Kroner, 1,500 Euros, or 1,900 US Dollars at the inflated official exchange rate).

Azizova was also fined 50 times the minimum monthly wage.

Mambetova was fined 60 times the minimum monthly wage or 4,775,400 Soms (13,800 Norwegian Kroner, 1,800 Euros, or 2,280 US Dollars).

Jura Toshmatov, Akbarhoyayeva's husband who is in his late sixties, was fined 70 times the minimum monthly wage or 5,571,300 Soms (16,100 Norwegian Kroner, 2,100 Euros, or 2,660 US Dollars).

As Buriyeva and Toshmatov are in their sixties, they are in receipt of a state pension, which is currently 155,670 Soms monthly (440 Norwegian Kroner, 60 Euros, or 70 US Dollars). This means the fine for Toshmatov represents more than two and a half years' average state pension. The fines for Mambetova and Buriyeva represent about two years' average state pension.

The monthly pension is set to rise to 179,020 Soms (510 Norwegian Kroner, 65 Euros, or 85 US Dollars) on 15 August, when the official monthly minimum wage also rises.

Why?

The duty officer at Urtachirchik District Police, who did not give his name, refused to state whether the 10 June raids mean that any home can be raided by police at any time to search for any material officials dislike for any reason. He also refused to explain to Forum 18 why people are punished for keeping copies of the Bible, Koran and other religious books in their homes.

"If they hadn't broken the law, there wouldn't have been a problem for them," the duty officer insisted to Forum 18 on 15 July. "But we [the police] didn't issue the fines – it was the court, based on an expert analysis of the books by an expert committee." He insisted that if those raided and fined objected, they could complain themselves.

Lieutenant Altynbek Usenbayev, one of the police officers who took part, also defended the raids. "We drew up a document, and acted on it," he told Forum 18 on 15 July. "The local police officer then drew up the documents to present them to court. We don't

have the right to fine anyone." He too refused to explain why individuals face raids and fines for keeping their own or other people's religious literature in their own homes.

Who can own and carry religious books?

As well as prosecuting individuals who keep religious books at home, individuals have also been prosecuted for carrying them inside their bags on the street - even when they are not visible to the public. One example was a Baptist, Natalya Akhmedova, who on her way to church had her bag searched by police, who found her personal Bible and a songbook. She was, along with Anna Serina a friend she was meeting, fined 50 times the minimum monthly salary (see F18News 21 May 2013 http://www.forum18.org/archive.php?article_id=1838).

Another Protestant told Forum 18 that visitors to the Religious Affairs Committee in spring 2013 asked officials how individuals can be fined for carrying on the street a copy of the Bible. The visitors stressed that the Bibles in question had been legally bought at the Uzbek Bible Society, an organisation which has state registration. "That's the law – we can't do anything," Religious Affairs Committee officials responded.

State ban on sharing any beliefs

The Religious Affairs Committee's characterisation of many of the books confiscated in the simultaneous raids on four homes in Tuyabuguz as banned because they could be used for sharing beliefs is a frequent justification for such bans. In this case, the characterisation may have been because some books were Christian books in the Uzbek language.

Sharing beliefs of any kind is banned in Uzbek "law":

- Article 5 of the Religion Law states that: "Actions aimed at attracting believers of one confession to another (proselytism) are forbidden, as is other missionary activity";

- The Code of Administrative Offences' Article 240 ("Violation of the Religion Law") Part 2 bans "attracting believers of one confession to another (proselytism) and other missionary activity". Punishments are fines of between 50 and 100 times the minimum monthly salary, or being jailed for up to 15 days;

- Article 216-2 of the Criminal Code states that: "attracting attracting believers of one faith to another (proselytism) and other missionary activity, will, after the application of penalties under the Code of Administrative Offences for similar activities, be punished by a fine of between 50 and 100 times the minimum wage or up to six months' detention or up to three years in prison".

Breaking Criminal Code Article 216-2 is one of the charges brought against devout Muslim Khayrullo Tursunov, who was extradited back to his native Uzbekistan from Kazakhstan in March, against the express wishes of the United Nations (UN) Committee Against Torture. In June he was given a long prison sentence for alleged "extremist" religious activity (see F18News 25 June 2013 http://www.forum18.org/archive.php?article_id=1851).

Speaking on 24 April in Geneva at the UN Human Rights Council Universal Periodic Review (UPR) of Uzbekistan, the then First Deputy Justice Minister Esemurat Kanyazov rejected calls for sharing beliefs to be decriminalised. "For us, inter-confessional accord is the most important thing. It's a delicate question. Any violations, any wrongdoing in this area could lead to unforeseeable consequences," he claimed.

Kanyazov stated – without explaining why this claim was relevant – that 90 per cent of the population is Muslim. "Decriminalisation of missionary activity could have very negative consequences. Our legislation is completely appropriate for us." He did not explain what "negative" or "unforeseeable" consequences would happen, if Uzbeks were allowed to speak freely about their beliefs with other Uzbeks.

The then Deputy Justice Minister Kanyazov also rejected criticism of the requirement that religious communities – and other non-governmental organisations – must gain state registration. "We have a procedure of requiring permission." He stressed that religious organisations – along with NGOs and commercial organisations – must have registration. But he denied any problems in achieving registration, insisting: "I don't believe the procedure is difficult".

Literature destruction, 100 times minimum monthly salary fines upheld

Six Protestants, fined 100 times the minimum monthly salary at Tashkent's Yunusabad District Criminal Court in April, have failed to overturn the fines and regain confiscated religious literature ordered destroyed, Protestants told Forum 18 (see F18News 21 May 2013 http://www.forum18.org/archive.php?article_id=1838).

On 17 May – in their absence – Judge M. Igamova of Tashkent City Criminal Court rejected their appeals. "The hearing took place in the absence of the parties, the prosecutor's office, witnesses, defendants, experts, translator, lawyer – there was even no secretary,"

one Protestant familiar with the case told Forum 18. "This is nonsense!"

Case returned

Uzbek customs authorities frequently seize religious literature from residents returning from abroad (see F18News 27 October 2011 http://www.forum18.org/archive.php?article_id=1630).

Following complaints from Baptists whose religious literature was confiscated on their return to Uzbekistan from neighbouring Kazakhstan, a judge at Zangiota District Court returned the cases against Andrei Shevchenko, Fathulla Ibrahimov and Aleksandr Khokhlov to the Customs Administration on 4 June for further investigation.

Their literature was seized on 11 May, and they were themselves detained for some hours (see F18News 30 May 2013 http://www.forum18.org/archive.php?article_id=1843). (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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