

18 September 2013

UZBEKISTAN: Church piano, pulpit, carpet, refrigerator seized

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

After a Baptist congregation in Uzbekistan's southern city of Karshi had religious literature and church property confiscated in three police raids this year, court bailiffs arrived in late July. This time they seized the Church's piano, pulpit, carpet, refrigerator and seventeen benches, as well as privately-owned property, to meet unpaid fines imposed on the home owner because the congregation chooses to meet without the compulsory state registration. Svetlana Andreychenko told the bailiffs "she had not and will not pay the fine since she does not think she is guilty of a violation," church members told Forum 18 News Service. Asked by Forum 18 why he and his colleagues took away church-owned property which did not belong to Andreychenko, one of the bailiffs was unable to answer. Meanwhile a Tashkent court suit to strip the Baptist Union of its summer camp is due to resume on 20 September. The head of the Regional Department which brought the suit refused to explain to Forum 18 why it did so.

After police seized church property and religious literature in April and June from a Baptist congregation's meeting place in the city of Karshi [Qarshi] in Uzbekistan's southern Kashkadarya Region, court bailiffs arrived in late July. They seized more church property – including its piano and benches – and private property to meet unpaid fines imposed on the home owner because the congregation chooses to meet without the compulsory state registration. Local Baptists, who wished to remain unnamed for fear of state reprisals, complained to Forum 18 News Service that all the confiscations cost them the equivalent of "several thousand US Dollars".

The Karshi Church belongs to the Baptist Council of Churches, whose congregations refuse on principle to register with the state, fearing that it will lead to state interference in their religious affairs.

Uzbekistan's religious communities – whether registered or not – and individuals have long faced insecurity of ownership over their property. Officials regularly seize religious literature, computers, musical instruments and other items (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

In a current case, Tashkent Regional Department of Privatisation and Deregulation of Property (DPD) is seeking through the courts to seize a plot of land the officially registered Baptist Union bought in 2000 in Bostanlyk in Tashkent Region and uses for summer camps. The next hearing at Tashkent City Economic Court is scheduled for 20 September (see below).

Church and private property seized

In Karshi, Court Bailiffs arrived on 30 July at the home of Svetlana Andreychenko, member of a local Baptist Church, to seize whatever property they could find, church members complained to Forum 18 from Karshi. Confiscated were the Church's piano, pulpit, carpet, refrigerator and seventeen benches, which were in a hall of the house. Also confiscated was the Andreychenko family's private property, including their refrigerator, electric oven, sewing machine and DVD player with speakers.

Other Church property, including money and religious literature, had earlier been confiscated from Andreychenko's home during police raids in April and twice in June (see F18News 11 July 2013 http://www.forum18.org/archive.php?article_id=1857).

Why was Church property seized?

On 30 July, Karshi Court Bailiff Akhtam Yuldashev and another Bailiff came to Andreychenko's home, where the community's worship meetings are held. The bailiffs demanded that she pay the fine given to her in 2012, church members complained to Forum 18.

Andreychenko had been fined 377,520 Soms (then worth 1,168 Norwegian Kroner, 155 Euros, or 200 US Dollars at the inflated official exchange rate) by Karshi Criminal Court in February 2012. Nine other local Baptists were also fined. The Judge also ordered that 23 Christian magazines confiscated from the Baptists be destroyed (see F18News 9 May 2012 http://www.forum18.org/archive.php?article_id=1699). All 10 were convicted under Administrative Code Article 240 Part 1 and Article 241.

Article 240 ("Violation of the Religion Law") Part 1 bans: "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 up to 15 days in jail.

Article 241 bans: "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 up to 15 days in jail. Punishments for breaking Article 241 range from fines of 5 to 10 times the minimum monthly salary, or up to 15 days in jail.

When Andreychenko explained that "she had not and will not pay the fine since she does not think she is guilty of a violation," the bailiffs made several calls to the local Police and Bailiffs administration. A local police officer and another bailiff soon arrived.

The officials then told Andreychenko that since she was refusing to pay the fine, "we must enter the home and make an inventory of the property subject to confiscation for the amount of the fine". They then entered the hall in the house where worship meetings are held.

When the officials "poured out their questions on why the benches are here, what is taught here, and so on". Andreychenko refused to answer. She told them this property is not her private property, church members told Forum 18. Disregarding the fact that the property in the hall was the Church's, the officials took away the Church items, the Baptists complained.

"Take everything from the home"

Then Bailiff Yuldashev summoned five more officials to Andreychenko's home, and after declaring that she had been given another fine in 2013, "commanded: take away everything from the home!"

On 29 May, Judge Otabek Mustafayev of Karshi Criminal Court had fined Andreychenko 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) for violating Article 240, Part 1 and 241 of the Code of Administrative Offences (see F18News 11 July 2013 http://www.forum18.org/archive.php?article_id=1857).

When Andreychenko "refused to allow the officials in the other rooms, since they did not show any documents authorising the confiscation, they entered through the windows," Baptists complained. They then took out the family's property.

Baptists told Forum 18 that they will file complaints and "are expecting the return of all their property." They also said that they are asking the authorities to "stop persecuting us Baptists and not interfere in our worship services."

Bailiff Yuldashev claimed to Forum 18 that Kashkadarya Court had instructed them to take everything from Andreychenko's home. However, Judge Mustafayev on 17 September denied to Forum 18 that he, the Chair of Karshi Court or any other Court official had given instructions to Yuldashev to confiscate everything. "They are an independent organ, and we cannot give them such instructions."

Yuldashev vehemently denied to Forum 18 that the confiscated property's value is higher than the fine. Asked whether, if the Baptists are fined again in future, the authorities will confiscate the home itself if they find nothing valuable there, he did not answer.

Confiscation without authorisation or official order?

Bailiff Yuldashev defended the confiscations. "We seized her property because she did not pay the fine," he told Forum 18 on 17 September. Asked why the Bailiffs took away property which did not belong to Andreychenko, he could not answer. He also did not say why the bailiffs only now executed the Court decision, which was given 17 months ago in 2012.

Asked why the officials conducted the confiscations without showing Andreychenko any official document, Bailiff Yuldashev claimed that later he sent Andreychenko a copy of the confiscation order. He then declined to discuss the case further with Forum 18.

Baptist camp to be confiscated?

Tashkent Regional Department of Privatisation and Deregulation of Property (DPD) lodged a suit at Tashkent City Economic Court in June to seize back from Uzbekistan's Baptist Union its plot of land in Bostanlyk which it uses for summer camping and recreation for its members. The DPD claims that in 2000 the Baptist Union bought the land illegally and that it should forfeit it for the benefit of the state (see F18News 9 August 2013 http://www.forum18.org/archive.php?article_id=1863).

At the 10 September hearing at Tashkent City Economic Court under Judge Malika Kalendarova, the Baptist Union rejected the DPD's claim. The Union told the Court that it bought the land legally from the chain of restaurants by presenting the official certificates, Baptists who wished to remain unnamed for fear of state reprisals told Forum 18 on 12 September.

The Baptist Union also challenged the letter written in 2004 allegedly by a group of local residents against its use of the land. It pointed out to the Court that "first names, other important data such as date of birth and addresses of some local residents, who allegedly signed the letter, are not indicated as well as majority of the signatories are of Kazakh ethnicity, who may not know the Uzbek language and may not even have written or signed it."

The Baptists also told the Court that Bobur Mukaddamov, who represented the Tashkent DPD in the Court, was presented officially as registered in Tashkent, though his permit allowing him to reside in the city expired on 28 December 2012.

The Baptists said that the Court, without going into legal arguments, adjourned the case until 20 September.

No comment

Asked by Forum 18 on 18 September whether the Court will consider the alleged letter from the local residents and how Mukaddamov can represent the DPD while his passport registration is not in order, Judge Kalendarova refused to comment. She insisted she could comment only after a ruling on the case. She also would not say whether she does not view the attempts to confiscate the Baptists' camp as a way to punish them for their religious activity.

Asked why the DPD is pursuing the confiscation of the Baptists' land, Kamoliddin Toirbekov, Head of the DPD, told Forum 18 on 18 September that Mukaddamov represents them in the Court, and that "he could better explain our position".

Asked how Mukaddamov can represent the DPD when he does not have proper passport registration, Toirbekov replied: "He is solving this issue at the moment." Asked whether the authorities are not punishing the Baptists for their religious activity by trying to expropriate their land, he did not say. "Please talk to Mukaddamov."

Mukaddamov's phones went unanswered on 17 and 18 September. (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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