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UZBEKISTAN: "We will continue fining you unless you stop storing religious literature in your home"

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

The police officer who led the raid on the home of a Seventh-day Adventist couple in Samarkand told Forum 18 News Service that it is illegal for them to have religious literature since the Adventist community does not have registration in the city. Protestants believe the raid was a reprisal for lodging a new registration application as the community seeks to regain the registration stripped from it in 2007. Among books seized were a Koran and Bibles in Braille. Police seized religious literature from individuals' homes elsewhere in Uzbekistan. "We will continue fining you unless you stop storing religious literature in your home," Judge Olтинбек Mansurov warned Artur Alpayev in Navoi in early September after fining him six months' average local wages for having religious literature at home. Forum 18 can find no published law which broadly bans individuals from owning religious books or other materials, though materials intended to encourage people to change their beliefs or works which, in the state's interpretation, "distort religious canons" have been banned since January.

Raids on private homes of individuals by police and other state officials hunting for religious literature continue across Uzbekistan, Forum 18 News Service has learned. Police seized religious literature found during these raids – including a Koran, Bibles in Braille, and personal notes on religious themes. Some of those raided have already been fined up to six months' average wages, with more fines likely.

The early August raid on a Seventh-day Adventist couple in Samarkand may have been a reprisal from the authorities because of the church's request the previous month for official registration, local Protestants complained to Forum 18. The congregation has been seeking to regain the registration stripped from it in 2007. The police officer who led the raid told Forum 18 that it is illegal for the Adventist couple to have religious literature since the Adventist community does not have registration in Samarkand (see below).

Officials have repeatedly insisted to Forum 18 that keeping religious literature at home is illegal. Even though all religious literature in Uzbekistan is by law subject to compulsory prior censorship, Forum 18 can find no published law which broadly bans individuals from owning books or other materials on religious themes and keeping them at home.

The only specific ban is on materials intended to encourage people to change their beliefs or works which, in the state's interpretation, "distort religious canons". The ban was introduced in January, with the entry into force of a new Decree, entitled "Measures to improve order in the production, import and distribution of religious materials". This formalised the existing sweeping state controls on the production, distribution and import of all such materials (see F18News 25 March 2014 http://www.forum18.org/archive.php?article_id=1942).

The religious censorship is carried out by the government's Religious Affairs Committee in the capital Tashkent. Religious literature seized anywhere in Uzbekistan is usually sent there for "expert analysis".

Fines are routinely handed down under Administrative Code Article 184-2. This punishes "illegal production, storage, import, distribution of religious materials" with fines for individuals of between 20 and 100 times the minimum monthly wage, plus confiscation of the religious materials and any equipment used to produce or copy them.

Religious literature seized from individuals – whether Muslims, Christians, Jehovah's Witnesses or of other faiths – is frequently ordered destroyed by the courts (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Navoi fine

On 5 September, less than three weeks after a police raid, Artur Alpayev was fined for having religious literature at the family home in Navoi, fellow Council of Churches Baptists complained to Forum 18 on 11 September.

Council of Churches Baptists refuse to seek state registration in any of the former Soviet republics, insisting that they do not need

state permission to meet for worship.

Judge Oltinbek Mansurov of Navoi City Criminal Court found Alpayev guilty under Administrative Code Article 184-2 for religious literature confiscated during the 17 August raid. The Judge fined him 50 times the minimum monthly wage.

Although the presidentially-decreed official minimum monthly wage rose from 1 September to 107,635 Soms, Alpayev was fined at the old rate, 4,805,250 Soms (13,000 Norwegian Kroner, 1,500 Euros or 2,000 US Dollars at the inflated official exchange rate). Local people estimated to Forum 18 that this represents about six months' average wage for those in work.

On Sunday 17 August, police interrupted a meeting for worship in the Alpayevs' home. They confiscated the religious literature found in their and another church member's homes. They also expelled from Uzbekistan their guests from Israel and Russia (see F18News 1 September 2014 http://www.forum18.org/archive.php?article_id=1991).

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The Baptists lamented that Alpayev's rights under Article 29 of Uzbekistan's Constitution to "search, receive and spread any information, except that which is aimed against the Constitutional order" have not been respected. Judge Mansurov threatened Alpayev that "we will continue fining you unless you stop storing religious literature in your home."

Though the Judge admitted that "there is nothing illegal in the [confiscated] literature, and it is allowed to be used within the registered building of a registered religious organisation," he claimed that it is "illegal to keep it at home".

Judge Mansurov also stressed to Alpayev that he was giving him a larger fine this time. "Last time you were fined 20 times the minimum monthly wage, but this time we are fining you 50 times."

Alpayev had in fact been fined not 20 but 50 times the minimum monthly wage under Article 184-2 in June 2012. After he failed to pay the fine, court bailiffs seized the family washing machine, dining table, refrigerator, piano and DVD disk player (see F18News 18 September 2012 http://www.forum18.org/archive.php?article_id=1744).

On 5 September 2014, Judge Mansurov also fined Alpayev's wife Irina 40 times the minimum monthly wage or 3,844,200 Soms (at the old rate) for failing to register their foreign guests (who had registration in another town in Uzbekistan).

Samarkand raid and confiscations

Twelve police officers and other officials raided the Samarkand home of Adventist husband and wife Aleksei and Diana Meshkov on the morning of 5 August, local Protestants who know the couple, and who asked not to be named for fear of the authorities, told Forum 18 on 2 September.

Leading the raid was Captain Makhmud Nodyrov of Samarkand Regional Police. Present were other police officers, as well as the Chair of the local mahalla Committee (residential district administration) and an official of Samarkand City Administration. Also participating in the raid was Tatyana Masolapova, Chief of Samarkand Regional Justice Department's section responsible for registration of local religious organisations.

The officials "broke the doors of the storage rooms in the cellar, and took out old books from a chest, among which was a Koran," the Protestants complained. These books were seized. Confiscated also were 21 Christian books, which included two Braille Bibles for the visually impaired, as well as 132 leaflets.

Police then also searched Meshkova's car, from where they confiscated a laptop computer, tablet device and mobile phone.

Punishment for registration application?

"The reason of the officials' intrusion was because in July the Adventists officially wrote to Tatyana Masolapova, asking the Justice Department to register their Church," Protestants told Forum 18. Samarkand's Adventist Church had registration until 2007 but then the authorities cancelled it.

The Adventist congregation was one of seven Protestant churches in Samarkand known to have been stripped of registration between 2006 and 2010 (see F18News 15 June 2010 http://www.forum18.org/archive.php?article_id=1457).

Asked why the Meshkovs' home was raided, Captain Nodyrov told Forum 18 on 3 September that the Adventist Church is "not registered in Samarkand, and therefore it is illegal for them to have religious literature." He refused to tell Forum 18 why and which authority decided to check up on the couple's home. Asked why the Bible and Koran were seized, he responded that it is the police's duty to send all confiscated religious literature for a religious "expert analysis". "We already sent the literature to the Religious Affairs Committee," was all he would say. He did not wish further to talk to Forum 18.

Officials of Samarkand Regional Justice Department between 5 and 11 September refused to tell Forum 18 whether the Department will register the Adventist Church. The officials, who would not give their names, also refused to put Forum 18 through to Masolapova.

Asked on 11 September why Masolapova, instead of responding to the registration request, participated in the raid on the Adventist Church members, Khusan Khojamkulov, Deputy Head of the Justice Department, took down Forum 18's question but put the phone down without answering. Subsequent calls to him on the same day went unanswered.

Navoi Region raid, confiscations, fines

In Zarafshon in Navoi Region, two local Protestants - Abdukahhor Kutbiddinov and his wife Obida Nazarova – have been punishing for owning a religious book, a dictionary and personal notes on religion seized when their home was raided on 11 July.

Judge Utker Haydarov of Zarafshon Criminal Court fined the husband and wife on 16 August under Administrative Code Article 184-2. Kutbiddinov was fined 20 times the minimum monthly wage or 1,922,100 Soms, according to the verdict seen by Forum 18. Nazarova was fined 10 times the minimum wage or 961,050 Soms.

With the same decision, the Judge ordered to hand over the confiscated Christian book, entitled "Christian Alphabet", and a Russian-Hebrew Dictionary as well as three notebooks with personal notes on them, to an officially registered religious organisation.

Judge Haydarov claims in his short Court decision (on one page), without giving specifics, that "it was established on 11 July 2014 that Nazarova (..) and Kutbiddinov illegally stored" the confiscated materials in their home. Without giving any evidence, the judge claimed that Kutbiddinov and Nazarova's guilt is proven from the materials of the administrative case, and their statements in court.

Judge Haydarov was reluctant to tell Forum 18 on 3 September why the couple were fined for keeping one religious book in their home, and why the Police seized a dictionary and personal notes. "If they have a complaint they can refer it to the appropriate organs," was all he would say. When Forum 18 asked why individuals cannot even write in their notebooks their thoughts about God, Judge Haydarov repeated his previous answer. The Judge also did not say why both spouses were punished for the same "offence". He asked Forum 18 to send its questions in writing, and put the phone down.

Tashkent raid, confiscations, fines to follow?

In Tashkent on the evening of 21 August, four officers of Yunusabad District Police led by Major Murod (last name unknown) raided the home of husband and wife Maksim and Tatyana Kostin, members of the officially registered Faith Presbyterian Protestant Church. "They broke in under the guise of passport regime check-up," local Protestants who know the couple complained to Forum 18 on 2 September.

Police confiscated 65 Christian books and materials. These included two Children's Bibles, a Biblical Encyclopedia, a Bible commentary as well as 60 notebooks, 12 Children's magazines, 3 notebooks with notes on them, 22 audio-cassette tapes, a video-cassette tape, 40 CD and DVD disks, and two folders with texts of Christian songs.

Major Murod (who did not give his last name) adamantly denied that he had led the raid. "First of all it was not a raid - we were just checking up to see who live in the home," he insisted to Forum 18 on 3 September. "Second of all, there were my superiors from the Police, who participated in the check-up."

Asked why then the Police confiscated the Kostins' religious books and other materials, the Major retorted: "We did not confiscate the books, we only seized them and sent them for religious expert analysis." He then claimed that the books received a positive "expert analysis" from the government's Religious Affairs Committee, and that the Police have been "looking for Kostin for several days to return the literature to him" but that "we could not find him".

However, the Protestants denied this, saying that they heard that the Police opened a case under Administrative Code Article 184-2. "Police are looking for him to bring him before the Court to fine him," they told Forum 18.

Told about this, and asked why the Police opened an administrative case, and why the authorities want to punish Kostin, Major Murod claimed to Forum 18 that he is busy. "Call me back in one hour." Subsequent calls to him went unanswered. (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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