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UZBEKISTAN: Large fines for "illegal" religious literature

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

Uzbekistan continues raids, large fines and confiscation of "illegal" religious literature, at least 18 Protestants and 11 Jehovah's Witnesses being fined up to 60 times the minimum monthly salary. Asked whether people have freedom of religion and belief, a Judge told Forum 18 "maybe".

Uzbekistan continues to raid homes and confiscate "illegal" religious literature. Known cases between January and May resulted in 18 Protestants and 11 Jehovah's Witnesses being fined up to 60 times the minimum monthly salary each. Anti-Terrorism Police with ordinary police often conduct illegal searches of homes without a search warrant, as happened when police raided Council of Churches Baptist Stanislav Kim's home. Other known cases have involved Jehovah's Witnesses being stopped and searched as they left Fergana, and the possible use of a police agent provocateur to entrap two Urgench female Jehovah's Witnesses as they shared their beliefs and literature with a woman in a flat. On 23 May Judge Khozhahmet Asanov upheld fines for illegal religious literature on 14 Protestants who met to mark International Woman's Day, the fines totalling 350 times the minimum monthly wage. "Why should we pay such huge fines, which none of us can afford, for just meeting with our friends?" a Protestant asked. Forum 18 asked the Judge whether people in Uzbekistan can exercise freedom of religion and belief. He replied "maybe" before putting the phone down.

Recent known cases

Uzbekistan continues to raid private homes and confiscate religious literature, recent known cases having resulted in charges under the Code of Administrative Offences Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). In these cases, at least 18 Protestants and 11 Jehovah's Witnesses have each been fined sums of up to 60 times the minimum monthly salary (see below).

Raids and confiscations are directed against people of all faiths, including Muslims, Protestants and Jehovah's Witnesses. Uzbekistan punishes people for possessing religious material in both paper and electronic form. At least two Muslims are serving five-year prison terms for having the Koran and sermons in their mobile phones (see F18News 7 April 2016 http://www.forum18.org/archive.php?article_id=2165).

As well as fines and jail sentences, the authorities use torture - including rape threats - against people with religious literature (see eg. F18News 25 May 2016 http://www.forum18.org/archive.php?article_id=2182).

Human rights obligations ignored

Against its international human rights obligations, Uzbekistan imposes strict censorship on all religious publications and all aspects of their distribution. There is a de facto ban on religious literature of any faith in homes and if found such literature is frequently ordered to be destroyed. State pressure is so great that for their own safety some religious believers have destroyed their own sacred texts (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

In July 2015 the United Nations Human Rights Committee expressed concern over the frequent raids, as well as - among other things - religious censorship, torture and fines to punish individuals for exercising their right to freedom of religion or belief. It called on Uzbekistan to "guarantee in practice the freedom of religion and belief" (see F18News 18 November 2015 http://www.forum18.org/archive.php?article_id=2122).

However, on 25 April 2016 President Islam Karimov signed into law changes to the Administrative and Criminal Codes. The changes entered into force the following day and punish those who publish, disseminate, broadcast materials allegedly "extremist" religious materials with prison terms of between five and eight years (see F18News 15 June 2016 http://www.forum18.org/archive.php?article_id=2189).

Urgench raid

On 17 May three officers of Urgench [Urganch] Anti-Terrorism Police in the north-western Khorezm Region, led by Major Shukhrat Masharipov, raided Stanislav Kim's home. Without a search warrant they illegally confiscated a "Herald of Truth" Baptist magazine, two Christian song books, a children's story book, and five notebooks with Kim's personal notes, local Council of Churches told Forum 18 on 1 June. Police also took the passports of Kim and Nikolai Serin, a Baptist visiting from the capital Tashkent. They ordered the two Baptists to come to Urgench Police Station at 09.00 the next morning.

The next day Investigator Shavkat Bekjanov and Major Masharipov questioned the two Baptists for six hours. Both officers have a record of violating freedom of religion and belief (see eg. F18News 6 August 2015 http://www.forum18.org/archive.php?article_id=2087). Police opened a case against Kim under Administrative Code Article 184-2 and pressured the two Baptists to write statements incriminating themselves, but both refused. The two then were released on the same day.

Apart from the illegal confiscation of the books and other personal property, no other known punishments have yet been imposed.

Checkpoint search

Among the many other known 2016 literature confiscations, on 13 February Jehovah's Witnesses Stanislav Ten and Valizhon Rahimov were stopped as they left Fergana [Farghona]. They were taken to Fergana Police Station and searched. Without giving any reasons, officers confiscated Ten's internal passport, mobile phone, tablet device (all three of which were returned on 23 February), as well as his computer's hard disc.

On 5 April Ten and Rahimov were fined 30 times the minimum monthly salary and 20 times the minimum monthly salary respectively. Judge Shukhrat Sotivoldiyev of Fergana City Criminal Court imposed the fines under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons").

Fergana Police and the local Anti-Terrorism Police both refused to explain to Forum 18 on 2 June why the two Jehovah's Witnesses were stopped and charged. One officer, Akhmedov (who refused to give his full name), put the phone down as soon as these questions were asked.

Court officials, including the Judge's Secretary Liliya (who refused to give her last name), refused to explain to Forum 18 on 2 June why the two Jehovah's Witnesses were given such large fines.

Police agent provocateur?

On 4 January, Samarkand District Police arrested Jehovah's Witnesses Zarema Ilfanova and Gulsara Hassanova in the flat of a woman who had invited the two to share their faith with her. Police released the two Jehovah's Witnesses after several hours on the same day, without telling them why they had been arrested. Local Jehovah's Witnesses think that the woman who lives in the flat may have invited the two Jehovah's Witnesses to her home on police instructions.

The National Security Service (NSS) secret police in particular carries out both covert and open surveillance of all religious communities, as well as seeking to recruit informers (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

On 25 January Samarkand City Criminal Court fined the two women for a religious literature "offence" under Administrative Code Article 184-2. Ilfanova was fined 12 times the minimum monthly salary and Hassanova 10 times.

Raids two days running

On 5 January in Chirchik in Tashkent Region, Anti-Terrorism Police officer Yerzhan Tursunov with two mahalla (local district) committee officials on 5 January arrested two Jehovah's Witnesses, Irina Korotko and Bakhtile Khalilova, when they were sharing their faith in a home. The same day and illegally without search warrants, the three officials searched Korotko's and Khalilova's homes for religious literature.

Mahalla committees are used to repress the freedom of religion and belief of people of all beliefs (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

On 6 January Tursunov with the local police officer raided the home of Naile Zinedinova, another Jehovah's Witness. They broke her door down, but are not known to have brought charges against her. No charges are known to have been brought against the two police officers for breaking Zinedinova's door.

On 18 January Chirchik City Criminal Court fined Korotko five times the minimum monthly salary and Khalilova six times the minimum monthly salary. Both women were fined for religious literature "offences" under Administrative Code Article 184-2.

Anti-Terrorism Police officer Tursunov refused to answer, when Forum 18 asked him on 6 June why he two days in a row raided Jehovah's Witnesses in homes, illegally searched their homes, and broke the door of a flat. "I can only tell you in my office," he claimed before putting the phone down.

Other fines for religious literature "offences" after illegal searches of private homes include: Nina Zadorkina, a Jehovah's Witness from Bektemir District in Tashkent, who was fined twice the minimum monthly salary on 6 February; and Tatyana Vychezhnina, another Tashkent Jehovah's Witness, who was fined 10 times the minimum monthly salary on 2 February.

14 large fines for International Women's Day meal upheld

In one case in Nukus in Karakalpakstan [Qorakalpoghiston], 14 Protestants on 15 April received fines totalling 350 times the minimum monthly wage or 45,584,000 Soms (130,000 Norwegian Kroner, 14,000 Euros or 15,600 US Dollars at the inflated official exchange rate). Judge Saylaubay Mambetkadyrov of Nukus City Criminal Court imposed the fines for religious literature "offences". All are members of one Protestant church, Unity, which is unregistered (see F18News 25 May 2016 http://www.forum18.org/archive.php?article_id=2182).

Without state registration all exercise of freedom of religion and belief is, against Uzbekistan's international human rights obligations, illegal (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

The fines came after an 8 March raid by Nukus Police, with Anti-Terrorism Police officer Islam Seytimbayev, on the home of married couple Ansatbay Yeshanov and Sanegul Zivatdinova. The couple with other members of the Church were celebrating International Women's Day with a meal together.

Mostly plain clothes police broke into the couple's home through the garden, searched the house, filmed the meeting, and detained all those present for questioning at Nukus Police Station. The homes of five of the Protestants were then raided and searched for religious literature. Police refused on 2 June to explain their actions to Forum 18.

"Though we all wrote in our statements that we were celebrating International Women's Day, the police wrote in the report that we had a religious meeting without state permission," a local Protestant who wished to remain anonymous for fear of state reprisals told Forum 18 on 26 May.

Judge Mambetkadyrov also on 15 May ordered the confiscation of Christian materials and literature, including two Russian-language Bibles, two Bibles and three New Testaments in Karakalpak, and 19 other Christian texts with various videocassette tapes and other material. Court officials refused to explain to Forum 18 on 2 June why the fines and confiscations were ordered.

Fines upheld

Judge Khozhahmet Asanov, Deputy Chair of Karakalpakstan's Supreme Court, upheld the fines on 23 May, a member of the Church, who asked not to be named for fear of state reprisals, told Forum 18 on 26 May. "Why should we pay such huge fines, which none of us can afford, for just meeting with our friends and co-believers in a home?" the Protestant asked.

Asked why such large fines were imposed, Judge Asanov on 2 June stated: "If you don't like our decision then you can make an appeal". When Forum 18 asked whether people in Uzbekistan can exercise freedom of religion and belief, the Judge replied "maybe". He then put the phone down.

The Protestants intend to file an appeal with Uzbekistan's Supreme Court in Tashkent.

Two jailed

In another case, 30 Jehovah's Witnesses received fines totalling more than 1,050 times the minimum monthly salary or 136,752,000 Soms (390,000 Norwegian Kroner, 42,000 Euros or 47,000 US Dollars at the inflated official exchange rate). Two of the Jehovah's Witnesses were also given 10-day jail terms.

The accused were prosecuted for breaking Administrative Code Articles 184-2 and 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 charter of the organisation, and the organisation and conduct of special children's and youth meetings, as well as vocational, literature and other study groups not relating to worship") (see F18News 28 June 2016 http://www.forum18.org/archive.php?article_id=2192). (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 is at http://www.forum18.org/Archive.php?article_id=1351.

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY