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UZBEKISTAN: More literature-related arrests, raids, fines, jailings

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

Uzbekistan continues to raid, arrest, fine, and jail people exercising freedom of religion and belief who possess religious literature. Two Protestant five-day prisoners of conscience were ordered to pay 15 per cent each of a month's minimum salary as "compensation" for state prison costs.

Uzbekistan continues to raid, arrest, fine, and jail people exercising freedom of religion and belief, notably those who possess religious literature. Such literature is routinely confiscated when it is found outside the premises of a belief community with state permission to exist.

After a police raid which found religious literature in the private houses of two Protestants in Termez, Shokir Rakhmatullayev and Dmitri Inyushev, both were jailed for five days on 9 November. Judge Bakhridin Ikramov ordered prisoners of conscience Rakhmatullayev and Inyushev to pay 15 per cent each of one month's minimum salary as "compensation" for the costs of jailing them (see below).

Two Baptists from a church with state permission to exist, Pastor Dmitri Butov and his wife Svetlana Butova in Zarafshan, illegally did not receive the verdict for their "offence" of having religious literature, and have illegally had their bank accounts frozen and money taken by officials. Officials have refused to answer questions on the case, which is still under investigation after appeal. The Butovs still have no access to their own money. (see below).

After handing out Christian literature on a street in Navoi, local Baptist Ilhom Kholnazarov was fined and had his literature given to the local state-controlled Spiritual Administration of Muslims (see below).

Ordinary police and the Anti-Terrorism Police in Kuvasai on 22 October raided the private homes of four local Council of Churches Baptists without providing search warrants or records of confiscation of literature. They will be charged under the Administrative Code. A similar raid took place on 10 November on Baptists in Namangan Region (see below).

And in the capital Tashkent, police stopped and searched a local Seventh-day Adventist at a metro station, confiscating six Christian CDs and DVDs. Police told Forum 18 the search and confiscation happened "because under the Religion Law it is not allowed to carry religious materials. They can only be read them in the building of an officially registered religious organisation".

Harsh censorship, harsh sentences

Only belief communities that have state registration are allowed to exist, violating international human rights law. There is strict censorship of all religious publications and all aspects of their distribution. There is also a de facto ban on religious literature of any belief in private homes or in public places, 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. The so-called "expert analyses" used to justify such freedom of religion and belief violations are often flawed, or even violate published law. The resulting court trials also often violate the rule of law (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/Archive.php?article_id=1862).

The harshest punishments for the possession of allegedly "illegal" religious literature, including on electronic devices, are normally imposed on Muslims. For example, prisoner of conscience Bakhtiyor Khudaiberdiyev, a Russian citizen who is ethnically Uzbek, was in August sentenced to 6 years in jail. The National Security Service (NSS) Secret Police had arrested him in January at Tashkent Airport for having suras [verses] from the Koran and other material on his mobile phone (see F18News 18 November 2016 http://www.forum18.org/archive.php?article_id=2232).

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, in April 2016 then-President Islam Karimov (who has since died) 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).

Catholics, Jews, and other smaller vulnerable belief communities do not appear to have recently been targeted for literature-related freedom of religion and belief violations, according to people from those communities Forum 18 spoke to on 30 November. But Protestants are routinely targeted for such violations.

Two Protestant prisoners of conscience jailed for five days

After a raid on the private houses of two Protestants in Termez in the southern Surkhandarya region's Jarkurgan District, Shokir Rakhmatullayev and Dmitri Inyushev, both were jailed for five days on 9 November. During the raids, a Russian Bible, Uzbek New Testament, 81 Christian CDs and DVD discs, and 93 pages of personal notes were confiscated from Rakhmatullayev. Eight Christian books and 13 audio-cassette tapes were confiscated from Inyushev, local Protestants who wished to remain unnamed for fear of state reprisals told Forum 18 on 21 November.

Both prisoners of conscience were in 2009 fined for holding a religious meeting in a private home without state permission (see F18News 18 November 2009 http://www.forum18.org/archive.php?article_id=1376).

Judge Bakhriddin Ikramov of Jarkurgan District Criminal Court jailed the two prisoners of conscience under Administrative Code Articles 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"), 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").

"Compensation" for costs of jailing both prisoners of conscience

Judge Ikramov also ordered prisoners of conscience Rakhmatullayev and Inyushev to pay 15 per cent each of one month's minimum salary as "compensation" for the state's costs in jailing them. The two prisoners of conscience were jailed after their trial on 9 November and freed on 14 November.

Two Protestants also fined

At the same trial Judge Ikramov also fined two members of a Protestant church that exists without state permission in Termez. Muhabbat Kabulova and Khursheda Hatamova were each fined 651,200 Soms, or five times the minimum monthly salary. (Large discrepancies exist between the market and official currency exchange rates.) The two were fined under Administrative Code Article 240, Part 1.

Jahangir Mamataliyev, Head of Jarkurgan District Criminal Court Chancellery, claimed on 30 November that Judge Ikramov was not available to talk and refused to answer Forum 18's questions on the cases. He claimed the Foreign Ministry should be questioned about this, but put the phone down when Forum 18 asked why.

Officials have in the past insisted that religious literature cannot be kept outside state-registered places of worship of state-registered religious communities. In addition, under Uzbekistan's religious censorship, all religious literature produced in or imported into the country must be approved by the Religious Affairs Committee in Tashkent (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862). Raids on home to search for such literature are normal, for example in August Baptist Stanislav Kim was given two years' corrective labour in Urgench for having religious books at home, something the authorities punish as "illegal". He must live at home under restrictions with a fifth of his earnings confiscated by the state (see F18News 29 September 2016 http://forum18.org/archive.php?article_id=2219).

Baptists fined, verdict unlawfully delayed, bank accounts frozen illegally

On 28 July, police and possibly officials from other agencies raided the home of Dmitri Butov and his wife Svetlana Butova in Zarafshan in the central Navoi [Navoiy] Region. Butov is Pastor of a state-registered Baptist Church. On 8 September the Butovs were found guilty of breaking 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").

Pastor Butov was on 8 September fined 20 times the minimum wage, 2,604,800 Soms, and his wife was fined 15 times the minimum monthly wage, 1,953,600 Soms. Two Bibles and two Baptist song books confiscated from the couple were also ordered by Judge Utkir Khaidarov to be handed over to an unnamed registered religious organisation, and a notebook computer was confiscated for the state to use (see F18News 29 September 2016 http://www.forum18.org/archive.php?article_id=2219).

Under Administrative Code Article 311, courts must provide a defendant with a copy of a verdict within three days. Under Article 316 the defendant then has 10 days from receiving the verdict to lodge an appeal.

Yet the Butovs were only given a copy of the verdict on 21 September – 10 days later than the Administrative Code allows, Butovs fellow Baptists, who asked not to be named for fear of state reprisals, told Forum 18 on 21 November.

Why?

In contrast to Judge Khaidarov's unlawful delay in providing a verdict, he quickly and unlawfully ordered Zarafshan Court Bailiffs to collect the fines. So before the Butovs received the verdict, Bailiff Ghiyos Sobirov of Zarafshan unlawfully froze the Butovs' bank accounts, leaving them without any access to their own money. They have four small children, and are expecting a fifth child.

The Butovs wrote to Bailiff Sobirov that they had not received a copy of the verdict but were preparing to make an appeal. Unlawfully, Bailiff Sobirov nevertheless began taking money from the Butovs' bank accounts.

Bailiff Sobirov on 30 November claimed to Forum 18 that the unlawful delay in providing the verdict, and illegal confiscation of money before an appeal "was not a sufficient argument for not executing the verdict". He also refused to state why both bank accounts were frozen.

Oroz Sharipov, Head of Zarafshan Court Chancellery, asked by Forum 18 on 30 November why Zarafshan Court illegally delayed in providing a copy of the verdict, and also illegally instructed bailiffs, claimed that "we are banned from answering such questions by phone" before putting the phone down.

Appeal

On 26 September, five days after they eventually received the verdict, the Butovs appealed against it. – based on the Administrative Code an appeal can be made within ten days of receiving a copy of the Court decision. The case was investigated by Navoi Regional Criminal Court.

The Regional Court's Chancellery Head, who would not give his name, told Forum 18 on 30 November that Judge Uchkun Ruziyev heard the case 29 November in the Butovs' absence. "Judge Khaidarov's decision was cancelled, and the case was referred to Zarafshan Prosecutor's Office for investigation", the anonymous Chancellery Head stated.

Asked what will be done to rectify the illegal confiscation of money from the Butovs, he replied: "I do not know, talk to the Bailiffs". Calls to Judge Ruziyev's phone were not answered.

Navoi Baptist fined

After handing out Christian literature on a street in Navoi, local Baptist Ilhom Kholnazarov was on 26 September found guilty of breaking Administrative Code Article 240 ("Violation of the Religion Law") Part 2 ("Attracting believers of one confession to another (proselytism) and other missionary activity"). Judge Jamshid Ergashev of Novbahor District Court fined him 65,120 Soms, or half the minimum monthly salary.

The Judge also ordered the handing over to the local state-controlled Spiritual Administration of Muslims, the Muslim Board or Muftiate, of an Uzbek-language New Testament, another Christian book on family and marriage, and four notebooks with personal notes written by Kholnazarov.

Judge Ergashev told Forum 18 on 30 November that he fined Kholnazarov and took his books because "he talked on the street to others about his religion, which is illegal missionary activity". Asked why discussion about sports or culture in Uzbekistan is not banned, but Kholnazarov talking to others about his religion is banned, the Judge replied "these are different subjects". He then said that Kholnazarov can appeal against the verdict "if he is not happy".

Fergana Baptists raided, detained, books confiscated

In the eastern Fergana [Farghona] Region, the ordinary police and the Anti-Terrorism Police in Kuvasai on 22 October raided the private homes of four local Council of Churches Baptists, whose church meets without state permission, local Baptists told Forum 18 on 28 October. Police confiscated all the Christian literature they could find, without providing search warrants or records of confiscation from the homes of Nikolay Savinov, Olga Rustamova, 81-year old Zekiya Ismailova, and Viktor Kotov.

Anti-Terrorism Police with ordinary police often conduct illegal searches of homes without a search warrant (see eg. F18News 7 June 2016 http://www.forum18.org/archive.php?article_id=2185).

Savinov, Kotov and Ismailova were taken to Kuvasai Police Station for questioning. Ismailova was released immediately after questioning, but the others were held for seven hours.

Kuvasai Police on 30 November referred Forum 18 to the Anti-Terrorism Police. Officer Khudoiberdy of Kuvasai Anti-Terrorism Police on 30 November stated that the Baptists were being charged under the Administrative Code, but refused to discuss the raids or detentions further with Forum 18. He then put the phone down.

Namangan Baptists raided, detained, books confiscated

On 10 November ordinary police and Anti-Terrorism Police in plain clothes in Pap District, Namangan Region, raided the homes of Nikolay Zulfikarov, Odil and Nilufar Solijanov, and Anvar Ashirkulov, local Council of Churches Baptists told Forum 18 on 17 November.

The police broke into the Solijanovs' home without explanation or search warrant. As Solijanova was at home with only her children, she called fellow Baptists to come to witness the search. Ashirkulov and Vadim Bakeyev arrived to witness the search, which lasted five hours.

Police confiscated the Christian literature they found, including Zulfikarov's personal Bible. They did not provide legally-required confiscation records to the Baptists. Police then took Bakeyev and Ashirkulov to the local police Station, where "both were kept in cold cells until the next day when they were freed" Baptists said.

Nizamjon Yuldashev of Pap Anti-Terrorism Police on 30 November refused to discuss the raids and detentions with Forum 18. He referred Forum 18 to Anvar Ganiyev, Head of the local Anti-Terrorism Police. Ganiyev on 30 November put the phone down claiming, claiming he could not hear the questions. Subsequent calls to him went unanswered.

Tashkent Adventist stopped and literature confiscated

Police on duty at the Shakhristan Metro Station in the capital Tashkent stopped Seventh-day Adventist Anvar Ibrahimov on 18 October, confiscating six Christian CD and DVD discs.

Police Investigator Navruz Sattarov, who is in charge of the case, told Forum 18 on 29 November that: "No administrative case will be opened because the religious expert analysis of the confiscated materials revealed nothing illegal". Sattarov added that "he [Ibrahimov] can get them back". Asked why the police confiscated the discs, he told Forum 18 that it was the NSS secret police who did this. They did this, Sattarov stated, "because under the Religion Law it is not allowed to carry religious materials. They can only be read them in the building of an officially registered religious organisation". (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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