

4 August 2020

UZBEKISTAN: "They want to destroy our Synagogue"

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

Despite having legal proof that since 1973 Tashkent's Jewish community bought and remains the owner of its Synagogue, a building firm is preparing to demolish it and is claiming "compensation" from the Jewish community. It remains unclear how the city Hokimat (Administration) could allocate the land to the private company. The next hearing in the case brought by the building firm is due on 5 August.

Forty seven years after the Ashkenazi Jewish community in Uzbekistan's capital Tashkent in 1973 bought and received state permission for what became its Synagogue, a building firm is preparing to demolish it. At a hearing due tomorrow (5 August) at Tashkent's Inter-District Economic Court, the building firm is seeking both confirmation of its alleged right to demolish the Synagogue as well as "compensation" from the Jewish community.

The first hearing took place on 10 July, but the Jewish community was only told about the suit on 29 to 30 July when along with Jews worldwide it was marking the annual fast of Tisha B'av. "Tisha B'av for the Jewish community of Tashkent is not only a memorial day of mourning, but a real tragedy!" the community wrote on its Facebook page. "Despite the promise that no one would ever raise a hand against the Synagogue, the city authorities decided to demolish it in order to build a multi-storey building. They want to destroy our Synagogue" (see below).

The assistant to Judge Islomjon Khamrayev of Tashkent's Inter-District Economic Court confirmed to Forum 18 on 4 August that the hearing will take place in person in court on 5 August at 15:50 Tashkent time.

"Why should we have to move anywhere?" a community member told the Moscow Jewish magazine "Lechaim" for a 29 July online article. "This is our place of prayer, for many years Jews living in the city and visiting Tashkent have come here to pray."

The building firm, Absolute Business Trade, is planning to build an apartment complex on the site in Tashkent's Yakkasaray District that includes where the Synagogue stands. In September 2017, Tashkent's then Hokim (Head of District Administration), Rakhmanbek Usmanov, issued a decision granting the firm the right to build on a 6-hectare (15-acre) plot of land that includes the site of the Synagogue.

Usmanov "assured us personally that the Synagogue would not be destroyed," a community member told Forum 18 from Tashkent on 4 August 2020. "We didn't challenge the 2017 decision because the Hokim told us the Synagogue would not be demolished and only the front part of the site would be built on" (see below).

Despite then Hokim Usmanov's assurances, Absolute Business Trade continued steps to expel the Jewish community from the site. Several fires also broke out close to the Synagogue and the perpetrators remain unknown (see below).

According to land registration documents seen by Forum 18, the Jewish community bought the land in 1973 and remains today the legal owner (see below).

The community member complained that the building firm had received a building permit, "but not a word was said about the fact that this construction meant the demolition of the Synagogue. At the same time, they insist on calling us 'an apartment', since it is easier to confiscate residential property for construction" (see below).

It remains unclear how the Hokimat (District Administration) could allocate land to a private company when at least part of it was owned by a religious community. Forum 18 was unable to reach the former Hokim Usmanov (who is now the Hokim of Tashkent's Yunusabad District), or the current Hokim Jahongir Artikhojayev (see below).

Asked whether corruption might have been involved in the 2017 decision to allow the company to build on the Jewish community's site, Hokim Usmanov's assistant told Forum 18: "That couldn't have been. He's a very devout person. We consider that haram [forbidden]". Corruption is widespread in Uzbekistan (see below).

Absolute Business Trade's lawyer and appointed representative in the case, Azamat Ergashev, insisted that "everything is being done in accordance with the law – we have all the approvals". Told that Forum 18 has seen the cadastral documents proving the Jewish community's ownership of the site, and asked whether that does or does not prove that the community owns the site, he would not answer (see below).

Dilshod Eshnaye, a deputy chair of the government's Religious Affairs Committee in Tashkent, insisted to Forum 18 that "nothing has been taken from anyone". He declared categorically: "The land belongs to the Synagogue." He told Forum 18 to wait for the Economic Court's ruling (see below).

The Synagogue has not been able to host worship since 16 March because of the coronavirus pandemic, a community member told Forum 18. Of the up to 4,000 Ashkenazi Jews in the city, between 50 and 100 regularly attended Sabbath prayers until then.

Since the then-head of Uzbekistan's Jewish community, Chief Rabbi Abe David Gurevich, was expelled in June 2008, the community has struggled to have its own rabbi (see below).

1973 purchase of site

Tashkent's Ashkenazi Jewish community bought the site from a private individual "for use as a premises for prayer", notes the 4 May 1973 decision (seen by Forum 18) of the city's Executive Committee signed by its then head Vahid Kazimov.

Since 1973, the community has renovated and improved the Synagogue building, which has been in constant use for worship and community events. The community has never given or sold the site to anyone else.

A certificate of 30 November 2010 from Tashkent's Land Resources and State Registry Department – seen by Forum 18 – confirms that the Jewish community's ownership of the site of 489 square metres (5,265 sq. feet) had been entered in the State Land Registry. An official of the State Registry Department told Forum 18 on 4 August 2020 that these certificates are still valid.

Forum 18 has also seen the small plastic card issued to the community by the Registry Department confirming the ownership of the site.

Mirabad Avenue project – including Synagogue demolition

In the mid-2010s, Uzbek company Golden House began planning a large apartment complex on a 6-hectare (15-acre) site on Mirabad Avenue which would partly be built on the Synagogue's land. The architectural concept was prepared by the British company Chapman Taylor.

"Our client Golden House presented the topography of an empty site and our international team prepared the architectural concept – designing a beautiful facade," Yelena Karikova, Director of Chapman Taylor's Moscow office, told Forum 18 on 4 August. "Further work was done by other companies. For the last four years we have had no connection with the project. We are not involved now at all."

On 11 September 2017, Tashkent's then Hokim (Head of District Administration), Rakhmanbek Usmanov, issued a decision – seen by Forum 18 - granting the Tashkent-based firm Absolute Business Trade the right to build on the 6-hectare site.

Despite repeated calls on 4 August, Forum 18 was unable to reach the former Hokim Usmanov (who is now the Hokim of Tashkent's Yunusabad District), or the current Hokim Jahongir Artikhojayev.

Asked whether corruption might have been involved in the 2017 decision to allow the company to build on the Jewish community's site, Hokim Usmanov's assistant told Forum 18: "That couldn't have been. He's a very devout person. We consider that haram [forbidden]."

Absolute Business Trade's lawyer and appointed representative in the case, Azamat Ergashev, insisted that "everything is being done in accordance with the law – we have all the approvals". Told that Forum 18 has seen the cadastral documents proving the Jewish community's ownership of the site, and asked whether that does or does not prove that the community owns the site, he would not answer.

But Ergashev adamantly denied that any corruption had been involved. "There was no corruption," he told Forum 18 on 4 August. However, he refused to explain how a company could be handed property that belongs to a religious organisation whose ownership is recorded on the State Land Registry.

"Corruption is endemic"

Uzbekistan scores poorly, at 153 out of 198 countries globally (<http://www.transparency.org/en/cpi/2019/results/uzb>), on

"Corruption is endemic and penetrates all levels of the business, government and social environment," the Risk & Compliance Portal's Uzbekistan Corruption Report (<http://www.ganintegrity.com/portal/country-profiles/uzbekistan/>) states.

Officials are known to demand bribes from Muslims who want to go on the state-controlled haj pilgrimage (http://www.forum18.org/archive.php?article_id=2520), and bribes have also been demanded to register some non-Muslim communities in late 2019 (http://www.forum18.org/archive.php?article_id=2527), several sources told Forum 18.

"Wait for the legal process"

Dilshod Eshnaye, a deputy chair of the regime's Religious Affairs Committee (http://www.forum18.org/archive.php?article_id=2314) in Tashkent, insisted to Forum 18 on 4 August that "nothing has been taken from anyone". He declared categorically: "The land belongs to the Synagogue."

However, Eshnaye repeatedly refused to say if the Committee was doing anything to defend the rights of the Jewish community. He told Forum 18 to wait for the Economic Court's ruling. "In every country you have to wait for the legal process to take its course."

Verbal assurance now forgotten?

At the beginning of 2018, Absolute Business Trade warned the Jewish community that it would demolish its Synagogue as part of the demolition of the entire district.

A community member complained that the building firm had received a building permit, "but not a word was said about the fact that this construction meant the demolition of the Synagogue. At the same time, they insist on calling us 'an apartment', since it is easier to confiscate residential property for construction".

The community told the Hokimat (District Administration) it was highly concerned about the demolition plan. In February the community also wrote to President Shavkat Mirziyoyev setting out their concerns.

"A Hokimat commission then visited our Synagogue and Hokim Usmanov assured us personally that the Synagogue would not be destroyed," a community member told Forum 18 from Tashkent on 4 August 2020.

"We didn't challenge the 2017 decision because the Hokim told us the Synagogue would not be demolished and only the front part of the site would be built on." However, the Hokim was replaced in April 2018.

Moves against community continue - and who started fires?

Despite then Hokim Usmanov's assurances, Absolute Business Trade continued steps to expel the Jewish community from the site.

Several fires also broke out close to the Synagogue and the perpetrators remain unknown. "The most recent was on 21 July 2019, when the fire was literally 2 and a half metres from the roof of our building," a community member told "Lechaim". Forum 18 has seen photos of the burnt buildings by the Synagogue.

On 1 October 2019, in a letter seen by Forum 18, Absolute Business Trade wrote to the Jewish community insisting that, in line with the 2017 order from the Hokim, it was building on the entire plot. Existing buildings would be demolished "on condition of compensation for the demolished property in line with the law".

Absolute Business Trade's letter – written by Azamat Ergashev, a lawyer of the Tashkent law firm Interlex - stated that despite prolonged discussions, the Jewish community had refused its offers of compensation. Ergashev gave his telephone number and urged it to be in contact to agree compensation.

A 3 October 2019 power of attorney, signed by Absolute Business Trade Director Payzullajon Mirzayev, authorised Ergashev and two other lawyers to act on behalf of the company over the Mirabad Avenue project and another Tashkent development project.

Forum 18 was unable to reach Mirzayev, who is listed in company records and on documentation as the director of Absolute Business Trade. He is known to conduct business in Uzbekistan and in Russia. Listed telephone numbers went unanswered or were no longer in service.

"Compensation" demanded from Jewish community

In 2020, Absolute Business Trade brought a suit against the Jewish community to Tashkent's Inter-District Economic Court. It

sought approval for the demolition of the Synagogue to go ahead and sought "compensation" from the Jewish community of 7,363,996 Soms (6,575 Norwegian Kroner, 615 Euros, or 720 US Dollars).

The Jewish community did not attend the 10 July 2020 hearing, so Judge Islomjon Khamrayev ordered a new hearing for the afternoon of 5 August, according to the decision seen by Forum 18. He instructed Absolute Business Trade to inform the Jewish community of the hearing so that they could attend.

Jewish community not informed of first hearing until Tisha B'av

It appears that the Jewish community only found out about Absolute Business Trade's suit on 29 to 30 July, from a phone call from the regime's Religious Affairs Committee (http://www.forum18.org/archive.php?article_id=2314).

The same day the Religious Affairs Committee called, the Tashkent Jewish community along with Jews worldwide were marking Tisha B'av. This annual fast day is regarded as the saddest in the Jewish calendar, and commemorates the destruction of both Solomon's Temple and the Second Temple in Jerusalem along with other tragedies.

"Tisha B'av for the Jewish community of Tashkent is not only a memorial day of mourning, but a real tragedy!" the community wrote on its Facebook page. "Despite the promise that no one would ever raise a hand against the Synagogue, the city authorities decided to demolish it in order to build a multi-storey building. They want to destroy our Synagogue."

The assistant to Judge Khamrayev confirmed to Forum 18 on 4 August that the hearing will take place in person at Tashkent's Inter-District Economic Court, on 5 August at 15:50.

No rabbi

Tashkent's Ashkenazi community has struggled to have its own rabbi in recent years. The community had planned to invite Rabbi Osher Krichinsky, who has served as rabbi in the Russian city of Omsk since 2001. He visited the Tashkent community in autumn 2019 and for Purim. However, his planned visit for Passover in April 2020 had to be cancelled because of the coronavirus pandemic.

"The community has asked the Chabad-Lubavitch Movement to send us a rabbi," a community member told Forum 18. "They have promised to help. Pray God that if they don't demolish the Synagogue then once coronavirus is past a rabbi will be allowed to come to us."

Chief Rabbi expelled in 2008

On 5 June 2008, the then-head of Uzbekistan's Jewish community, Chief Rabbi Abe David Gurevich, was forced out of Uzbekistan after the Justice Ministry refused to renew permission for him and his wife Malka to work in the country and their visas expired (http://www.forum18.org/archive.php?article_id=1158). Russian-born Gurevich, who is an American and Israeli citizen, had worked in Uzbekistan since 1990 and also worked for the Hasidic Chabad-Lubavitch Movement.

State-controlled media in April 2008 accused Rabbi Gurevich of embezzling funds, his organisation's premises illegally not being at the officially-registered address, and hindering Jews of Uzbek nationality from becoming new leaders of the Jewish community (http://forum18.org/archive.php?article_id=1113).

"I have checked up and could not find the authors of some of the articles, and I believe that these were made-up names," Gurevich told Forum 18 that month. "The Ministry knows very well that I receive funds for charity from Jewish organisations in the US and Russia" and the authorities have the means to check up on their bank account in Uzbekistan and do so regularly, Gurevich pointed out.

The articles were followed by a visit from Religious Affairs Committee and Justice Ministry officials on 7 April (http://forum18.org/archive.php?article_id=1113). The officials checked the accounts and the school, found everything was in order and left, Chief Rabbi Gurevich stated. In a 10 April letter, the Justice Ministry refused to renew his permission to work (http://forum18.org/archive.php?article_id=1113).

The refusal to allow Rabbi Gurevich and his wife to continue working in the country came despite an appeal to the Justice Ministry signed by 88 members of Tashkent's Jewish community calling for him to be allowed to stay (http://www.forum18.org/Archive.php?article_id=1124). "We do not want him to stop ministering to us," they told the Ministry. Uzbekistan also at that time expelled other foreign citizens who had been working in Christian religious communities.

Rabbi Gurevich – who is by now elderly – was allowed to revisit Uzbekistan only in July 2019. He visited the Tashkent Synagogue before travelling to the community in Fergana.

Rabbinate abolished in 1998

Uzbekistan's Rabbinate was abolished when a new Religion Law was introduced in 1998 (http://www.forum18.org/Archive.php?article_id=364). Since then the Justice Ministry has refused to re-register it, despite requests from the Jewish community.

The absence of an officially-registered Rabbinate remains a "serious concern" for the community, a community member told Forum 18. "The head of a religious community must be an Uzbek citizen (http://www.forum18.org/archive.php?article_id=2314)." (END)

Full reports on freedom of thought, conscience and belief in Uzbekistan
(<http://www.forum18.org/archive.php?query=&religion=all&country=33>)

For more background, see Forum 18's Uzbekistan religious freedom survey (http://www.forum18.org/archive.php?article_id=2314)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (http://www.forum18.org/archive.php?article_id=1351)

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