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UZBEKISTAN: Registration applications denied, officials refuse to explain why

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

Shia Muslim, Jehovah's Witness, and Protestant religious communities have all had recent applications to exist refused. In many cases the excuse used has been refusals by local authorities to provide documents as part of the complex, time-consuming and expensive application process. In some cases registration applications have led to reprisals, such as police demands that Protestant Christians renounce their faith.

Many religious communities would like to obtain state permission to exist, but are being blocked from registering, members of communities, who wish to remain anonymous for fear of state reprisals, have told Forum 18. Other communities have not applied, thinking that the authorities will not register them or that they will face police questioning or other reprisals.

Shia Muslims have only four registered mosques of their own, and one more is intending to apply for registration. When in 2019 Shias in Bukhara applied for registration, police visited active members of the community to stop this. An official claimed to Forum 18 that Shias "have never asked for registration" (see below).

Applications for state permission to exist have resulted in fines, torture, and other punishments if the regime dislikes the community concerned (see below).

Just as in 2019 and in previous years, Jehovah's Witness communities have been refused registration in 2020 in Tashkent and Fergana. The excuse the regime has used is the refusal of local authorities to supply a letter confirming the communities' existence as part of the complex, time-consuming and expensive application procedure. Officials have refused to explain to Forum 18 why they did this (see below).

Protestant communities have also been refused registration in 2020. "Some of the churches have tried several times to register without success since 2018", Protestants who wished to remain unnamed for fear of state reprisals told Forum 18. These applications too have faced refusals by local authorities to supply a letter confirming the communities' existence. Officials have refused to explain to Forum 18 why they did this (see below).

Members of one Protestant church which applied for registration in late 2019 were a few months later in 2020 called to their local police station. "The police asked us why we became Christians and demanded we renounce our faith," church members who wished to remain anonymous for fear of state reprisals told Forum 18. "This had never happened before, even when we were in previous years fined. They think "this happened because we asked for registration" (see below).

Members of various Protestant churches across Uzbekistan, who asked to remain anonymous for fear of state reprisals, told Forum 18 on 10 December that they are afraid to give the details of their church members to the authorities. Before deciding whether or not to apply for registration, they are "waiting to see whether the authorities will punish Christians for exercising freedom of religion and belief without state permission after identifying them". Members of one Protestant church told Forum 18 that in 2020 "police came to the building and then fined us for exercising freedom of religion and belief without state permission. So now we do not use the building" (see below).

Hare Krishna devotees in Samarkand are hoping to apply for registration if the numbers of required founders is reduced from 100 to 50 (see below).

Neither the Catholic nor Russian Orthodox churches are intending to apply to register new communities, though Catholics unsuccessfully applied in 2019 (see below).

Little change in long-promised new Religion Law?

The draft of the long-promised new Religion Law – adopted in the first reading in the lower house of parliament on 15 September

(https://www.forum18.org/archive.php?article_id=2604) – would reduce the minimum number of members of a religious organisation from 100 in the current Law to 50. It would, if eventually adopted in current form, also remove the requirement to have the approval for any registration application from the local mahalla committee, the lowest level of state administration.

However, the draft new Law – if adopted in current form – would retain almost all existing state controls on exercising freedom of religion or belief. It was severely criticised by local human rights defenders as well as in a Joint Opinion (https://www.forum18.org/archive.php?article_id=2609) by the Council of Europe's Venice Commission and the Organisation for Security and Co-operation in Europe's (OSCE) Office of Democratic Institutions and Human Rights (ODIHR).

Since the 15 September first reading approval, Parliament has given no indication of when the draft new Law might be considered in second reading.

Consistent long-standing pattern of refusals

The regime's refusals to give state permission to exist in 2020 are consistent with its behaviour in 2019 (https://www.forum18.org/archive.php?article_id=2527). It has long repeatedly obstructed registration applications, as well as in May 2018 adding new obstacles (https://www.forum18.org/archive.php?article_id=2396) to the process.

Against international human rights law, the regime demands that religious communities must have state permission to exist (https://www.forum18.org/archive.php?article_id=2314) and exercise their freedom of religion and belief.

The illegality of demanding state permission to exercise human rights has been repeatedly reiterated to the regime, most recently in a Joint Opinion of the Venice Commission and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) on the draft Religion Law (https://www.forum18.org/archive.php?article_id=2609) published on 12 October. This repeats many of the points which have previously been made: in 2017 (<https://www.undocs.org/en/A/HRC/37/49/Add.2>) by UN Special Rapporteur on Freedom of Religion or Belief Ahmed Shaheed; made to and accepted by Uzbekistan in 2018 (https://www.upr-info.org/sites/default/files/document/uzbekistan/sesion_30_-_mayo_2018/uzbekistan_2rp.pdf) during the UN Universal Periodic Review Process; and made in May 2020 (<https://www.undocs.org/CCPR/C/UZB/CO/5>) by the UN Human Rights Committee.

The October 2020 Joint Opinion finds that the draft Religion Law "maintains major restrictions and suffers from deficiencies that are incompatible with international human rights standards". Many of the Joint Opinion's points have also already been made by local human rights defenders (https://www.forum18.org/archive.php?article_id=2609) and others the regime rules.

Only four mosques for Shias

Shia Muslims have several communities but only four registered mosques of their own, an independent human rights defender, who wished to remain unnamed for fear of state reprisals, told Forum 18 on 2 December. One such community the human rights defender knows intends to apply for registration, but "they are afraid to talk publicly about their problems and hope that the authorities will register their mosque".

In Bukhara, Shias began a petition in late 2019 for the reopening of one of the 15 long-closed local Shia mosques (https://www.forum18.org/archive.php?article_id=2527). However, police soon visited active members of the community to pressure them to halt the petition. They reluctantly complied.

Bakhrom Bakhromov of Bukhara Regional Justice Department, who is responsible in the Department for the registration of religious organisations, claimed to Forum 18 on 14 December 2020 that Shias "have never asked for registration". When Forum 18 pointed out that they had applied and that police had warned Shias not to apply for registration, Bakhromov claimed: "I do not know about it."

Applications for state permission to exist have resulted in fines, torture, and other punishments if the regime dislikes the community concerned. "Give us freedom of religion and belief, [and] we will ask for registration" (https://www.forum18.org/archive.php?article_id=2396), one Protestant who did not wish to be named for fear of state reprisals commented in 2018.

Bakhromov of the Justice Department refused to say whether Shias could register a mosque community, replying: "Let them apply and we will see." He then refused to talk more.

Among the many changes people in Uzbekistan have called for (https://www.forum18.org/archive.php?article_id=2609) is an end to the ban on opening mosques which are not run by the state-controlled Spiritual Administration of Muslims (https://www.forum18.org/archive.php?article_id=2314) (the Muftiate).

No new registrations for Jehovah's Witnesses

Just as in 2019 (https://www.forum18.org/archive.php?article_id=2527) and in previous years (https://www.forum18.org/archive.php?article_id=2396), Jehovah's Witness communities have been refused registration. "In 2020 two attempts were made to collect the necessary documents to obtain registration in Tashkent and Fergana," they told Forum 18 on 3 December. (Jehovah's Witnesses have been allowed only one registered community, in Chirchik near Tashkent.)

Applying for state registration is a complex, time-consuming and expensive procedure, requiring multiple documents (https://www.forum18.org/archive.php?article_id=2314) from different state agencies. This includes a letter supporting the application for permission to exist from the mahalla committee (the lowest element of district administration).

The draft Religion Law would continue almost all of this restrictive application system, though the requirement for mahalla committee approval might be removed (https://www.forum18.org/archive.php?article_id=2596). The process also provides opportunities for officials to extort bribes (https://www.forum18.org/archive.php?article_id=2527).

Mahalla committees are a key element in the regime's attempts to stop people exercising freedom of religion and belief (https://www.forum18.org/archive.php?article_id=2314) without state permission. Among their unwritten functions they can be used to orchestrate hostility against religious communities the authorities dislike (https://www.forum18.org/archive.php?article_id=2515).

In 2019 also the regime used the absence of letters from mahalla committees (https://www.forum18.org/archive.php?article_id=2527) – which the regime controls – as an excuse not to give state registration to religious communities.

The Jehovah's Witness community in Tashkent filed its application on 18 September, but on 12 October the City Administration refused to provide the required letter of endorsement. The official responsible for religious affairs, who refused to give his name, refused to explain to Forum 18 on 9 December why the letter was not provided, and Tashkent Regional Justice Department did not answer their telephones on 14 December.

The Jehovah's Witness community in Fergana filed its application on 6 October, but the City Administration refused on 19 October to provide the required letter of endorsement.

The City Administration referred Forum 18 to the Fergana Regional Administration official responsible for regional religious affairs, Muydinjon Kholmatov. He claimed to Forum 18 on 14 December that "Jehovah's Witnesses have to receive permission from the Regional Justice Department to ask us. I already told them this." He refused to explain why a letter of confirmation of the identity of the community was not provided, and then refused to talk more.

Bobur Khaydarov, Assistant to Bakhrillo Khasanov, Chief of Fergana Regional Justice Department, also refused on 14 December to explain why Fergana authorities refuse to register the Jehovah's Witnesses community. He then refused to talk more.

On 19 October, Jehovah's Witnesses told the Religious Affairs Committee in Tashkent in writing about the refusal of both local authorities to provide them with endorsement letters, and asked for assistance. However, on 23 October Begzod Kadyrov, Chief Specialist of the Committee, replied that the Committee was rejecting the application as local authorities have not provided the necessary letters.

On 9 December, Ulugbek Jurayev, Assistant to Religious Affairs Committee Chair and State Security Service (SSS) secret police Colonel Abdugafur Akhmedov, refused to answer Forum 18's questions. Kadyrov also refused to answer Forum 18's questions.

Protestant churches also refused registration

Just as in 2019 (https://www.forum18.org/archive.php?article_id=2527) and in previous years (https://www.forum18.org/archive.php?article_id=2396), Protestant communities have been refused registration in 2020. "Some of the churches have tried several times to register without success since 2018," Protestants who wished to remain unnamed for fear of state reprisals told Forum 18 on 2 December 2020.

The refused registration applications known to Forum 18 include those from: Living Water Pentecostal Church in Azadbash; Source of Life Pentecostal Church in Gazalkent in Bostanlyk District; New Wave Pentecostal Church in Alimkent in Akkurgan District; Gazelkent Baptist Union Church in Bostanlyk District; Emmanuel Pentecostal Church in Khanabad in Andijan Region; and the Full Gospel Pentecostal Church and another Pentecostal Church in Karakalpakstan.

None of the responsible officials or their departments answered their phones on 14 December.

However, Ikram Akhmedov of the religious affairs section of Karakalpakstan Autonomous Republic claimed to Forum 18 on 9 December that mahalla committees or city administrations are "obliged to give letters to religious communities to confirm their existence". (This is not how mahalla committees operate (https://www.forum18.org/archive.php?article_id=2515).) "They are not

giving permission but only identifying the communities for us. Let the communities which have had problems in Karakalpakstan write complaints to us."

Applying for registration results in police pressure to renounce faith

Members of one Protestant church which applied for registration in late 2019 were a few months later in 2020 called to their local police station. "The police asked us why we became Christians and demanded we renounce our faith," church members who wished to remain anonymous for fear of state reprisals told Forum 18. "This had never happened before, even when we were in previous years fined." They think "this happened because we asked for registration."

Church members have received no other response to the application from the authorities.

"Waiting to see what happens"

Members of various Protestant churches across Uzbekistan, who asked to remain anonymous for fear of state reprisals, told Forum 18 on 10 December that they are afraid to give the details of their church members to the authorities. Before deciding whether or not to apply for registration, "we are waiting to see how the registration applications of other churches are treated".

Applications for state permission to exist have resulted in fines, torture, and other punishments if the regime dislikes the community concerned. "Give us freedom of religion and belief, [and] we will ask for registration" (https://www.forum18.org/archive.php?article_id=2396) one Protestant who did not wish to be named for fear of state reprisals commented in 2018.

So various churches are, they told Forum 18, "waiting to see whether the authorities will punish Christians for exercising freedom of religion and belief without state permission after identifying them".

Members of one Protestant church told Forum 18 that "we have identified a building but are afraid to use it since we are not registered. So we meet in homes for prayer and Bible study." They explained that earlier in 2020 "police came to the building and then fined us for exercising freedom of religion and belief without state permission. So now we do not use the building."

No registration yet for Samarkand Hare Krishnas

Makhendra das (Igor Zakirov), Chair of the Hare Krishna community of Tashkent, told Forum 18 on 7 December that the community is officially registered and functions "without problems". Forum 18 notes that community members cannot share their faith publicly or hold processions on the streets, as is normal for Hare Krishna devotees, because the Religion Law bans any sharing of beliefs (https://www.forum18.org/archive.php?article_id=2314).

"Our community in Samarkand also has existed for many years without registration," Makhendra das added. "We did not apply for registration since we could not collect 100 signatures as the current Law demands." However, they would like to apply for registration if the new draft Religion Law is adopted and enters into force with the promised lower minimum number of the founders set at 50 (https://www.forum18.org/archive.php?article_id=2596). "We will be able to collect 50 signatures."

Makhendra das told Forum 18 that "for the last two years our followers in Samarkand have not had problems with the authorities but registration would help our followers not face fines in future."

Russian Orthodox and Catholics not planning to register new communities

The Russian Orthodox and Catholic churches are not currently planning to apply to register any new churches.

Catholics in Angren tried in 2019 to register a parish (https://www.forum18.org/archive.php?article_id=2527), as local Catholics presently have to travel 105 kms (65 miles) to Tashkent for Mass. However, "at the moment we are not thinking of registering a new Catholic community," the Apostolic Administrator Bishop Jerzy Maculewicz told Forum 18 on 7 December 2020. "The existing registration allows us to carry on our activity without any problems."

Andrey Kompaniyets, Chief of the Chancellery of the Russian Orthodox Church, told Forum 18 on 9 December that "the Church and all of its branches have registration. We are not planning to register new branches. All our churches function without problems." (END)

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

For more background, see Forum 18's Uzbekistan religious freedom survey (https://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 (https://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