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UZBEKISTAN: "The authorities do not want us to exist"

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

The regime has nationwide in 2021 and 2022 blocked state registration attempts by Muslim, Protestant, and Jehovah's Witness communities, making it impossible for them to meet legally. Often the excuses used are property-related, with officials taking full advantage of the opportunities provided by the Religion Law for arbitrary and inconsistent demands. Religious community members often want their names and the names of their communities to remain anonymous for fear of state reprisals.

Repeated attempts to re-open Tashkent's Abu Zar Sunni Mosque have been blocked by the Chief Imam of Tashkent Region's refusal to endorse a state registration application. After mosque community members went to meet him, they were called in by the State Security Service (SSS) secret police who "warned community members not to disturb the Imam or the authorities, and that they should stop seeking state registration," a human rights defender stated. "They are now afraid to raise the issue with the authorities, and they still cannot meet as a community for prayers," the human rights defender noted. "They are not happy."

Similarly, attempts to re-open the Nazira Bibi-Khanym Mosque have been blocked by the state-controlled Muftiate. An official of Tashkent Regional Administration – who insisted on remaining anonymous - told the community that "it is a waste of time to collect documents unless you first get verbal approval" from the Regional Administration official dealing with freedom of religion and belief-related matters (see below).

The regime is known to have nationwide in 2021 and 2022 blocked registration of mosque communities, Protestant churches, and Jehovah's Witness communities. Religious community members want their names and the names of their communities to remain anonymous for fear of state reprisals (see below).

After the July 2021 Religion Law came into force, local communities of Jehovah's Witnesses in Tashkent and Samarkand made multiple attempts between August 2021 and February 2022 to obtain the necessary documents and permissions from the regime to make registration applications. "Each time the communities faced insurmountable obstacles from state authorities," Jehovah's Witnesses told Forum 18. For example, in Tashkent's Mirzo-Ulugbek District the Administration demanded that the community provide all documents for a registration applications – including an "assessment" from the Administration which the Administration did not supply (see below).

Neither the Religious Affairs Committee, nor Mirzo-Ulugbek District Administration, nor the Justice Ministry, nor the state-controlled National Human Rights Centre, have answered Forum 18's questions about the rejections. Mirzakhid Tursunov of the District Administrations Personnel Department claimed that "we did not receive such requests from the Jehovah's Witnesses." When Forum 18 pointed out that written documents had been exchanged he refused to answer any more questions (see below).

This problem exists throughout Uzbekistan, with officials very frequently using property-based excuses to block registration applications (see below).

Denials of state registration make it impossible for people to meet together to pray, which often means that if they want to do this they have to travel long distances to another. Catholics in Angren, for example, are only allowed by the Religious Affairs Committee to travel to Tashkent (about 105 kilometres or 65 miles away) for Mass up to three times a year. However, the Religious Affairs Committee has to be asked whether it will give permission to travel each time this happens (see below).

In Bukhara, Shia Muslims still face regime obstruction in reopening Shia mosques. Bukhara Regional authorities have in 2022 told the Shia community trying to register the Hoji Bahrom Shia Mosque that they "should not lodge any registration applications," a Muslim who knows the community told Forum 18. They do not want to reveal their identity or other details for fear of state reprisals (see below).

Shortly before a US Commission on International Religious Freedom (USCIRF) delegation visited the mosque in April 2022, the local administration renovated the entrance plaque saying "Hoji Bahrom Masjidi" (mosque). "The mosque is closed but Muftiate officials on 24 May opened the mosque for some media to pretend that the mosque is open," a Muslim who asked to remain anonymous for fear of state reprisals told Forum 18. "There are no prayers held there and people do not attend it."

After the USCIRF delegation had left Uzbekistan, the local administration changed the entrance plaque to read "Mahalla Guzari" (social affairs). "They keep kitchen utensils there for cooking, as it is a tradition to eat together when gathering for a community activity," the Muslim said. "But we want to be allowed to use it as a mosque". A Bukhara Regional Administration official claimed to Forum 18: "It is not a mosque. It is just a building belonging to the local mahalla" (see below).

Jehovah's Witnesses in Samarkand have made repeated applications for state registration, and are still being blocked with property-related excuses. The Samarkand Regional Department for Construction Control replied on 16 November 2021 with the claim that the Housing Code requires that the building the community uses must be classified as non-residential. Jehovah's Witnesses replied pointing out that the building was already classified as non-residential (see below).

All exercise of freedom of religion and belief by religious communities without state permission to exist is illegal. Multiple documents and permissions are required to apply for state registration (https://www.forum18.org/archive.php?article_id=2699), including an "expert analysis" by the Religious Affairs Committee and an "assessment" of a religious community's building by local and regional administrations. Much in the applications process is unclear, and there are multiple opportunities for the regime to arbitrarily refuse registration applications with no possibilities for communities to even know the "reasons" for the refusal or appeal against it. The complex process of applying for state registration also provides multiple opportunities for officials to seek bribes.

Imam blocks mosque being opened

The Abu Zar Sunni Mosque in Bahor mahalla (residential area) in Tashkent's Yangiyul District was built in the early 1990s, but was closed by the regime in 2007. The regime also forcibly closed Shia mosques in 2008 (https://www.forum18.org/archive.php?article_id=2669). "The local authorities rented out the Abu Zar Mosque building for use as a house," a human rights defender told Forum 18. After unelected President (<https://www.osce.org/odihr/elections/uzbekistan>) Shavkat Mirziyoyev claimed he would allow freedom of religion and belief, in 2019 "the tenants left the building, local Muslims financed the mosque's renovation, and after three years in 2022 it was ready for use as a mosque again."

On 7 January the Abu Zar Mosque community wrote to Jasur Raupov, Chief Imam of Tashkent Region, to endorse in writing an application for state registration. Religion Law Article 14 – which specifies which documents must accompany registration applications – states: "Statutes of religious organisations which have centralised organs of administration must be agreed by these organs." (https://www.forum18.org/archive.php?article_id=2699) Officials interpret this provision in a way that prevents any mosque without the approval of the state-controlled Spiritual Administration of Muslims (the Muftiate) from seeking state registration. This is why mosque community members needed Imam Raupov's approval.

Imam Raupov did not answer the letter (seen by Forum 18), and so over a month later in February mosque community members and the head of the local administration went to see Raupov in person. He promised to answer the letter, a human rights defender told Forum 18 on 6 June.

There is an unpublished ban on opening mosques which are not run by the state-controlled Muftiate (https://www.forum18.org/archive.php?article_id=2699). Local people called for this ban to be abolished by the 2021 Religion Law, but the regime ignored this demand.

"Stop seeking state registration" SSS secret police orders mosque community

However, almost immediately after the meeting Abu Zar Mosque community members were summoned to the local office of the State Security Service (SSS) secret police (https://www.forum18.org/archive.php?article_id=2699). "The SSS warned community members not to disturb the Imam or the authorities, and that they should stop seeking state registration," the human rights defender stated.

"They are now afraid to raise the issue with the authorities, and they still cannot meet as a community for prayers," the human rights defender noted. "They are not happy."

The regime has jailed Muslims who meet together to pray without state permission (https://www.forum18.org/archive.php?article_id=2699), and also fines those guilty of this "offence". For example, on 2 March Nosir Numanov and his friends went to their local mosque for evening prayer. As there were too many other worshippers and many police outside the mosque, they went to a local teahouse to say their prayers, and afterwards planned to have a meal together. On 11 March a Judge handed Numanov a 15-day jail sentence and fined the teahouse owner about 10 months' average wages (https://www.forum18.org/archive.php?article_id=2729).

"Can I answer this question later?"

Imam Raupov claimed to Forum 18 on 9 June that he had answered the Abu Zar community's 7 January letter asking for approval for a state registration application, but then changed his story when Forum 18 pointed out that the community had not received a

reply. Forum 18 then asked him whether he would approve the mosque getting state registration, he replied: "I have to look at the letter and then answer them."

When Forum 18 asked why in June he had still not looked at a letter sent in January, and when he would reply as he promised in February that he would, Imam Raupov replied: "Can I answer this question later," and then put the phone down. He made no comment on why the SSS secret police ordered mosque community members not to seek state registration immediately after they met him. Raupov did not answer later phone calls.

Muslims in Bukhara have noted that state-appointed imams are "acting together with the authorities as they were appointed with their endorsement (https://www.forum18.org/archive.php?article_id=2669)."

An SSS secret police officer (who refused to give his name) at its Tashkent headquarters refused on 9 June to explain their actions. After writing down the question he claimed it was "a wrong number" and then put the phone down.

"The authorities do not want us to exist"

Similarly to the Abu Zar Mosque, the Nazira Bibi-Khanym Mosque in Tashkent Region was opened in the early 1990s and was forcibly closed by the regime in 2007. After 2007 the mosque building was used as a food shop, and the mosque grounds are now in 2022 used to raise turkeys.

From 2019 the mosque community started collecting the documents to apply for state registration (https://www.forum18.org/archive.php?article_id=2699), a human rights defender told Forum 18. "It was very hard for us to collect all these papers from the various authorities," the mosque community told the human rights defender.

In April 2022 the mosque community went to the state-controlled Muftiate (https://www.forum18.org/archive.php?article_id=2699) to get their approval to apply for state registration. However, Muftiate officials told the mosque community that they have to once again collect the same documents. The excuse given for this demand – not backed by published law - is that the July 2021 Religion Law (https://www.forum18.org/archive.php?article_id=2699) is now in force. "Once again they force us to undergo the same very hard process," the mosque community said. "It looks like the authorities do not want us to exist."

"Waste of time to collect documents .. unless you first get verbal approval"

An official of Tashkent Regional Administration – who insisted on remaining anonymous - told the community that "it is a waste of time to collect documents unless you first get verbal approval from Zokirjon Hidoyatov." He is Regional Administration official dealing with freedom of religion and belief-related matters. "Hidoyatov is the most important person who opposes registration of any religious community in the Region," the official told the mosque community.

Tashkent Regional authorities are also known to have in 2021 and 2022 blocked registration of another mosque community as well as Protestant churches and Jehovah's Witness communities. Religious community members want the names and the names of their communities to remain anonymous for fear of state reprisals.

On 9 June Tashkent Regional Administration officials refused to tell Forum 18 why they blocked state registration applications from multiple religious communities. Hidoyatov did not answer his phone on either 8 or 9 June.

"Insurmountable obstacles from state authorities"

The only legally registered local community of Jehovah's Witnesses in Uzbekistan is in Chirchik in Tashkent Region. Multiple attempts from 2018 onwards to gain state registration have been made by other Jehovah's Witness communities in the cities of Bukhara, Fergana, Karshi, Samarkand, Tashkent, Urgench, and Nukus (in Karakalpakstan). These – including attempts to appeal through the courts – have all been blocked by the regime (https://www.forum18.org/archive.php?article_id=2527).

After the July 2021 Religion Law (https://www.forum18.org/archive.php?article_id=2699) came into force, local communities of Jehovah's Witnesses in Tashkent and Samarkand (see below) made multiple attempts between August 2021 and February 2022 to obtain the necessary documents and permissions from the regime to make registration applications. "Each time the communities faced insurmountable obstacles from state authorities," Jehovah's Witnesses told Forum 18 on 15 June.

On 17 August 2021, a group of Jehovah's Witnesses in Tashkent's Mirzo-Ulugbek District applied to both the Religious Affairs Committee asking for their "expert analysis" and the local administration asking for their "assessment", so as to apply for state registration (https://www.forum18.org/archive.php?article_id=2699).

On 18 August, the Religious Affairs Committee rejected the application and refused to provide its "expert analysis" justifying the refusal. The Committee also claimed that it had asked the Mirzo-Ulugbek District Administration for its "assessment" on the building of the community, and stated that "Article 17 of the Religion Law only discloses the list of documents required for

registration, but does not in any way determine the order of obtaining them."

On 10 September Jehovah's Witnesses asked the District Administration for their "assessment" (https://www.forum18.org/archive.php?article_id=2699). The Administration replied demanding that the community provide all documents for a registration applications – including the "assessment" the Administration did not supply.

On 6 October, 8 November, 17 November and 2 December Jehovah's Witnesses asked the Tashkent Construction Control Department for their "assessment" of the building's compliance with the necessary standards. Two days later, on 8 October and later the Department replied each time that they cannot provide an "assessment" as Mirzo-Ulugbek District Administration is responsible for this.

The Construction Control Department did not answer Forum 18's calls on 16 June 2022.

On 4 November 2021 Jehovah's Witnesses asked the District Administration in writing to clarify what exact documents they wanted. On 15 November the Administration told the community in writing that they need the Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) permission, the local administration's own "assessment" on the community's building, and a copy of the community's charter.

On 15 December, the Jehovah's Witnesses appealed to the Justice Ministry and the state-controlled National Human Rights Centre in Tashkent to explain what was necessary.

On 28 December the Construction Control Department replied that the rented premises of the community had "the right of ownership," and that the building's construction "was "carried out in accordance with urban planning norms and rules."

On 29 December the Justice Ministry replied claiming that under Town Planning Regulations "'institutions of ritual services' [religious communities] are not allowed to use non-residential buildings or premises for their religious activity." Jehovah's Witnesses observed to Forum 18 that "institutions of ritual services" are not mentioned in the Town Planning Regulations.

On 19 January 2022, Jehovah's Witnesses submitted a new application to the Tashkent Administration for their "assessment", submitting a full package of documents except for the permission of the Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699).

On 3 February the Administration rejected the request, claiming that the documents provided by the community were "incomplete" – without stating in what way they were "incomplete."

Neither the Religious Affairs Committee, nor Mirzo-Ulugbek District Administration, nor the Justice Ministry, nor the state-controlled National Human Rights Centre, on 16 June 2022 answered Forum 18's questions about the rejections. Mirzakhid Tursunov of the District Administrations Personnel Department claimed that "we did not receive such requests from the Jehovah's Witnesses." When Forum 18 pointed out that written documents had been exchanged he refused to answer any more questions.

"This is nonsense"

This problem exists throughout Uzbekistan. Officials have blocked Shia Muslims' attempts to reopen mosques in Bukhara with property excuses, and in Samarkand attempts to do this have not been made as "they are afraid of the authorities" (https://www.forum18.org/archive.php?article_id=2669). Officials have rejected other religious communities' recent applications to exist, or failed to respond. "Nothing has changed," a Protestant church which has applied for registration told Forum 18.

In many places Sunni Muslim communities have also told us that they are afraid to build mosques, human rights defenders told Forum 18, as they know they may be punished by the regime for this. In some places Muslims built a mosque building, but the regime does not allow local communities to use them. And so the mosques remain unused.

Protestant from across the country, who asked not to be named for fear of state reprisals, told Forum 18 that they do not know of any non-Muslim communities – including Protestant churches - which have been registered since the July 2021 Religion Law (https://www.forum18.org/archive.php?article_id=2699) came into force.

Protestant churches across the country are also known to have been refused state registration in 2021 and 2022. In these cases local administrations refused to give their written permission for the churches to use premises they have access to as their legal address (https://www.forum18.org/archive.php?article_id=2699), Forum 18 was told by Protestants who wished to remain anonymous for fear of state reprisals.

Jehovah's Witnesses told Forum 18 that in 2002 local administrations have often demanded that religious communities must first obtain permission for the community's use of a building. Local Planning Departments refuse to issue such permission, claiming it is not within their powers. Local administrations then refuse to issue their own "assessment"

(https://www.forum18.org/archive.php?article_id=2699), blocking the registration applications.

Similarly, local administrations and Justice Departments also insist that the postal address of a community can only be at the actual location (https://www.forum18.org/archive.php?article_id=2699) of a religious building of a religious community, and the community must have a separate building specially constructed for a religious purpose.

"This is nonsense, as the building must be constructed or purchased by the community and put into operation before it receives state registration, which is illegal under the Religion Law (https://www.forum18.org/archive.php?article_id=2699)," Jehovah's Witnesses observed. Local administrations refuse to accept applications identifying rented premises as the community's location.

Jehovah's Witnesses also noted that there is no published or unified procedure for obtaining the necessary Religious Affairs Committee "expert analysis" or the necessary building "assessment" from local administrations (https://www.forum18.org/archive.php?article_id=2699). As a result, each state agency makes arbitrary decisions on whether or not to give permission, supply necessary documents, or issue an "expert analysis" or "assessment".

No registration, so people must travel many kilometres to meet to pray

Denials of state registration make it impossible for people to meet together to pray, which often means that if they want to do this they have to travel long distances to another. "Sometimes Muslims have to travel between 50 and 100 kilometers [30 to 60 miles] to different towns to attend a mosque to pray with other Muslims," a human rights defender told Forum 18 on 9 June. "They are not allowed to arrange prayers privately, as they will be punished for it (https://www.forum18.org/archive.php?article_id=2699)."

Similarly, Catholics in Angren tried in 2019 to register a parish without success (https://www.forum18.org/archive.php?article_id=2527). The Catholic parish does not own a building (which as a parish it cannot own without registration), so the parish is prevented from applying for state registration (https://www.forum18.org/archive.php?article_id=2699). The parish began construction of a church building, but this has stopped at present for technical reasons.

Without state registration neither Mass nor any other Catholic religious meeting can take place in Angren, which prevents local Catholics from receiving Communion at Mass. Receiving Communion once a week is for Catholics an integral part of their faith.

The Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) only allows Angren's Catholics to travel to Tashkent (about 105 kilometres or 65 miles away) for Mass up to three times a year. However, the Religious Affairs Committee has to be asked whether it will give permission to travel each time this happens.

Still no new mosques for Shias

In Bukhara, Shias began a petition in late 2019 for the reopening of one of the 15 long-closed local Shia mosques. However, police soon visited active members of the community to pressure them to halt the petition (https://www.forum18.org/archive.php?article_id=2527). 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" (https://www.forum18.org/archive.php?article_id=2622). 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."

Bukhara Regional authorities have in 2022 told the Shia community trying to register the Hoji Bahrom Shia Mosque (https://www.forum18.org/archive.php?article_id=2669) that they "should not lodge any registration applications," a Muslim who knows the community told Forum 18. They do not want to reveal their identity or other details for fear of state reprisals.

Shia Muslims have themselves repaired the Hoji Bahrom Mosque building, which could accommodate up to 200 worshippers (https://www.forum18.org/archive.php?article_id=2669), and have collected the details of the 100 founders required by the then-Religion Law. However, in early 2021 officials "verbally told community members that unless they repair a separate smaller damaged building that was used by women visiting the mosque, they will not receive permission to use the mosque." Shia Muslims are trying to decide whether to repair or demolish the building, but do not have the funds for either.

"To pretend that the mosque is open"

Shortly before a US Commission on International Religious Freedom (USCIRF) delegation (<https://www.uscirf.gov/news-room/uscirf-spotlight/uzbekistan-gaps-principles-and-practice>) visited the mosque in April 2022, the local administration renovated the entrance plaque saying "Hoji Bahrom Masjidi" (mosque). "The mosque is closed but Muftiate officials on 24 May opened the mosque for some media to pretend that the mosque is open," a Muslim who asked to remain anonymous for fear of state reprisals told Forum 18. "There are no prayers held there and people do not attend it."

Some time after the USCIRF delegation had left Uzbekistan, the local administration changed the entrance plaque to read "Mahalla Guzari" (social affairs). "They keep kitchen utensils there for cooking, as it is a tradition to eat together when gathering for a community activity," the Muslim said. "But we want to be allowed to use it as a mosque."

Bukhara Regional Administration's religious affairs official, Erkin Majidov, was claimed to be busy when Forum 18 asked for an explanation. However, his assistant Gholib Baratov claimed: "It is not a mosque. It is just a building belonging to the local mahalla." He refused to explain why Shia Muslims have been repeatedly blocked from applying for state registration, claiming that "the Justice Department has to decide whether or not to register it."

Bukhara Justice Department officials (who refused to give their names) refused to answer Forum 18's questions about the denials of freedom of religion and belief to Shia Muslims.

Non-residential property not a non-residential property

Jehovah's Witnesses in Samarkand have made repeated applications for state registration in 2018 (when Jehovah's Witnesses were fined for applying for registration) (https://www.forum18.org/archive.php?article_id=2396) and in 2019 (when other religious communities were ordered by the regime to spy on the Jehovah's Witnesses) (https://www.forum18.org/archive.php?article_id=2527).

Between 17 August 2021 and 11 February 2022, the local community of Jehovah's Witnesses unsuccessfully tried to obtain the necessary permissions from the Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) and Samarkand Regional Administration.

The Samarkand Regional Department for Construction Control replied on 16 November 2021 with the claim that the Housing Code requires that the building the community uses must be classified as non-residential. Jehovah's Witnesses replied pointing out that the building was already classified as non-residential.

The Regional Department for Construction Control also claimed that a religious organisation must be created on a land plot, not in a building. On 4 February the Regional Administration claimed that the Sanitary-Epidemiological Service must give permission – an excuse that has been used to reject other registration applications (https://www.forum18.org/archive.php?article_id=2699).

Local Jehovah's Witnesses on 5 February complained to the Presidential Administration about the obstructions, but no reply has been received. Shokhrukh Khusanov of the Presidential Administration refused to answer Forum 18's questions about the case.

"Keep mosque numbers at roughly 2,000"?

Human rights defenders and Muslims have noted that in 2021 and 2022 regional administration and state-controlled Muftiate (https://www.forum18.org/archive.php?article_id=2699) officials across the country have claimed that opening a new mosque in one place means that a different mosque in another place else must be closed down. One Muslim community was told unofficially that the regime does not want to increase the number of officially-registered mosques, and "wants to keep mosque numbers at roughly 2,000."

Religious Affairs Committee officials (who refused to give their name) have refused to discuss this, and Dilmurad (who refused to give his last name) of the Muftiate section responsible for registration of mosques denied that such a policy existed. When asked why mosque registration applications were being rejected, on 9 June he said that "we are not the final authority on this issue, the Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) is." He then refused to talk more. (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=2699)

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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