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UZBEKISTAN: Regime continues repeated arbitrary blocking of registration

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

Regime officials have in 2023 and 2024 continued to, as in previous years, repeatedly use a variety of tactics to block state registration applications from Muslim and non-Muslim religious communities. Jehovah's Witnesses, Muslims, and Protestants have all experienced blocking of registration attempts, and in a Jehovah's Witness case courts have backed the regime's arbitrary use of its power. "The Religion Law gives the authorities unlimited powers to refuse our registration, to our regret," Jehovah's Witnesses told Forum 18. Unregistered Protestant communities have also come under police and SSS secret police pressure, including attempts to recruit informers.

Regime officials have continued in 2023 and 2024 to, as in previous years, repeatedly use a variety of tactics to block state registration applications from Muslim and non-Muslim religious communities. Religious communities without state registration are – against international human rights law – banned from exercising freedom of religion or belief.

The Jehovah's Witness community in the capital Tashkent has long tried to gain state registration – so far in vain.

The latest twist came after Tashkent City Administration refused an application for a building to be designated as the Tashkent community's legal address. Such an address is necessary for a state registration application. The regime claimed that urban planning construction regulations prevented the building from being the community's legal address, and that "a number of [unspecified] neighbours of the Jehovah's Witnesses in their mahalla [local district] had in the [unspecified] past made [unspecified] complaints against the community" (see below).

City Administration officials have refused to answer Forum 18's questions about the case (see below).

On 6 February, Judge Olimjan Shamsiyev of Tashkent Inter-District Administrative Court rejected the Jehovah's Witnesses complaint against the decision. He claimed that as local authorities have "discretionary powers" to refuse a request to use a building as their legal address, "the contested decision cannot be considered illegal". Shamsiyev also defended the use of alleged "complaints" by unspecified "neighbours" as a reason for Tashkent Administration to reject the Jehovah's Witness application (see below).

Judge Shamsiyev refused on 23 April to discuss his claims with Forum 18 as "I cannot privately explain to you the nuances of the Law as you are a third party". He repeated this claim when asked what religious communities could do when faced with arbitrary regime decisions (see below).

On 1 April, Judge Begzod Muminov of the Appeal Board of Tashkent Administrative Court rejected the community's appeal against Tashkent Administration's and Judge Shamsiyev's decision. Neither the Judge, nor the official responsible for complaints about administrative cases at the Supreme Court, nor the regime's Religious Affairs Committee, would answer Forum 18's questions about the case (see below).

The regime has blocked attempts to re-open the Nazira Bibi-Khanym Mosque in Tashkent, and the community is not now seeking registration. "They now think it is futile to seek registration, as their registration applications have been blocked in the past," a human rights defender who knows the community commented. Mosque community members, who also wished to remain anonymous for fear of state reprisals, now attend other mosques (see below).

Jakhongir Azomkhanov, Tashkent Regional Administration's official overseeing freedom of religion or belief issues, defended the regime's blocking of the Abu Zar Mosque community's registration attempts. "There are very large mosques in the areas where Muslims can pray, and they can attend those," he claimed to Forum 18. "Those Mosques also have convenient parking places for private cars. Why don't they just attend those Mosques?" (see below).

Protestants in various regions across the country, who wish to remain anonymous for fear of state reprisals, told Forum 18 in April

2024 that many churches have between 2022 and 2024 been refused registration. Refusals have either come from local administrations, or from the regime's Religious Affairs Committee in Tashkent (see below).

The regime uses many excuses to block registration applications. One excuse used to block a registration application from a Protestant church in Samarkand Region was that church leaders do not have an educational qualification recognised by the Religious Affairs Committee (see below).

In late March and April, police "Struggle with Extremism and Terrorism Departments" and the State Security Service (SSS) secret police summoned members of several unregistered Protestant churches in Nukus in Karakalpakstan and Urgench in Khorezm Region for questioning. Church members were questioned about why they attend "illegal" churches, and warned not to attend the churches (see below).

Protestants, who wished to remain anonymous for fear of state reprisals, told Forum 18 that the police and SSS secret police pressure happened even though some of the churches had applied for state registration in recent years but had been refused. "This leaves those churches very vulnerable to manipulation and threats from the authorities. Especially new believers are afraid to attend meetings for worship," one Protestant told Forum 18 (see below).

SSS secret police officers told one Protestant that they are attending an "illegal extremist Wahhabi [Islamic] group". The SSS then tried to pressure the Protestant to "work for the police to spy on the Church", a local Protestant who knows the case told Forum 18. They asked not to give their or the believer's details for fear of state reprisals. "Of course the believer refused their offer" (see below).

Nukus and Urgench police "Struggle with Extremism and Terrorism Departments" denied to Forum 18 that Protestants were summoned and questioned. Ilkham Myrzayev, head of Urgench Police "Struggle with Extremism and Terrorism Department", refused to tell Forum 18 why regime agencies summoned and questioned the Protestants. "It is secret information and I cannot share it with you," he claimed before refusing to talk more (see below).

One Protestant commented to Forum 18 that unregistered churches "are vulnerable to officials' pressure. This is done to discourage new believers especially from attending churches, or pressure them to spy for the authorities" (see below).

Registration does not stop problems for religious communities. Bukhara's registered Baptist Union Church has not met in its building since May 2021, due to regime obstructions. The Church hopes to be given a new building to meet in in 2024, but this has not happened. From January 2024 they have been "temporarily" allowed to use a kindergarten as a storage space but cannot use it for meetings. No regime official has been willing to explain to Forum 18 why the Baptists are not allowed to meet or repair their own church building (see below).

It is illegal under Uzbekistan's binding international human rights law obligations to deny the exercise of freedom of religion or belief to unregistered religious communities, or to block registration attempts, as the Organisation for Security and Co-operation in Europe (OSCE) / Council of Europe Venice Commission Guidelines on the Legal Personality of Religious or Belief Communities (<https://www.osce.org/files/f/documents/9/9/139046.pdf>) note.

Jehovah's Witnesses: Religion Law gives authorities "unlimited powers to refuse our registration"

On 17 July 2023, Deputy Head of Tashkent City Administration Abdulvosip Khomitjanov refused an application by Jehovah's Witness for a building to be designated as their Tashkent community's legal address. Such an address is necessary for a state registration application, and without state registration the community's exercise of their freedom of religion or belief is illegal (https://www.forum18.org/archive.php?article_id=2699). Khomitjanov claimed that urban planning construction regulations prevented the building from being the community's legal address.

Khomitjanov also claimed his decision was made as "a number of [unspecified] neighbours of the Jehovah's Witnesses in their mahalla (https://www.forum18.org/archive.php?article_id=2699) [local district] had in the [unspecified] past made [unspecified] complaints against the community".

Khomitjanov's assistant, who refused to give their name, on 23 April also refused to answer Forum 18's questions and claimed that Khomitjanov "is busy in a meeting". Subsequent calls were not answered.

Jehovah's Witnesses have made multiple attempts over many years to gain registration for their communities in Uzbekistan outside the town of Chirchik, the only place where they have a registered community. "Each time the communities faced insurmountable obstacles from state authorities," Jehovah's Witnesses told Forum 18 in June 2023 (https://www.forum18.org/archive.php?article_id=2752).

This problem exists throughout Uzbekistan, with regime officials very frequently using property-based excuses to block registration applications (https://www.forum18.org/archive.php?article_id=2752) from a variety of Muslim and non-Muslim religious

communities. "The Religion Law gives the authorities unlimited powers to refuse our registration, to our regret," Jehovah's Witnesses told Forum 18 on 15 April 2024 (https://www.forum18.org/archive.php?article_id=2699).

Jehovah's Witnesses: Court backs refusal and regime's arbitrary power

On 6 February, Judge Olimjan Shamsiyev of Tashkent Inter-District Administrative Court rejected the Jehovah's Witnesses' complaint against Khomitjanov's decision, as well as an appeal that Tashkent Administration be obliged to designate the building as the Tashkent Jehovah's Witness community's legal address.

Judge Shamsiyev argues in his decision (seen by Forum 18) that Article 17 of the Religion Law (https://www.forum18.org/archive.php?article_id=2699) requires an "assessment" of registration applications by the local authority, and "does not specify what exactly the content of this decision should be". Shamsiyev goes on to argue that as local authorities have "discretionary powers" to refuse a request to use a building as their legal address, "the contested decision cannot be considered illegal".

Judge Shamsiyev also defended the use of alleged "complaints" by unspecified "neighbours" as a reason for Tashkent Administration to reject the Jehovah's Witness application.

Shamsiyev refused on 23 April to discuss his claims with Forum 18 as "I cannot privately explain to you the nuances of the Law as you are a third party". He repeated this claim when asked what religious communities could do when faced with arbitrary regime decisions justified by the Religion Law (https://www.forum18.org/archive.php?article_id=2699).

On 1 April, Judge Begzod Muminov of the Appeal Board of Tashkent Administrative Court rejected the community's appeal against Tashkent Administration's and Judge Shamsiyev's decision. Judge Muminov's Assistant (who refused to give his name) claimed to Forum 18 on 18 April that Judge Muminov "is busy and cannot talk with you at the moment. Please call back later." Later calls between 18 and 23 April were not answered.

Dilnoza Jumanova, who is responsible for complaints about administrative cases at the Supreme Court in Tashkent, would not on 23 April answer Forum 18's questions about the case.

The Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699)'s receptionist (who refused to give his name) between 18 and 23 April refused to put Forum 18 through to Committee Chair Sodik Toshboyev or other officials. When Forum 18 asked to speak to named officials, each time the receptionist then began to play recorded music on the call.

In 2021 the Religious Affairs Committee similarly used recorded messages to avoid answering questions (https://www.forum18.org/archive.php?article_id=2688) about the regime's multiple human rights violations.

Tashkent mosque: Seeking registration "futile"

The state-controlled Muftiate has blocked attempts to re-open the Nazira Bibi-Khanym Mosque (https://www.forum18.org/archive.php?article_id=2752). An official of Tashkent Regional Administration – who insisted on remaining anonymous - told the community in 2022 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.

A human rights defender who wished to remain anonymous for fear of state reprisals, and who knows the mosque community, told Forum 18 on 24 April 2024 that the community is not now seeking registration. "They now think it is futile to seek registration, as their registration applications have been blocked in the past." Mosque community members, who also wished to remain anonymous for fear of state reprisals, now attend other mosques.

Tashkent Regional Administration held a meeting in early 2023, at which officials promised that three mosques including the Abu Zar Mosque (https://www.forum18.org/archive.php?article_id=2752), would be reopened for worship, the human rights defender added. "They did not keep their promise, and the Abu Zar Mosque is still closed for worship." Mosque community members now attend another mosque some way from where they live.

There are unconfirmed rumours that one of the mosques was reopened after officials were bribed, but there is no known proof of this. Corruption is endemic in the country (https://www.forum18.org/archive.php?article_id=2699), and regime officials are known to seek bribes from potential haj pilgrims.

The reopening of the Abu Zar Mosque was in early 2022 blocked by the Chief Imam of Tashkent Region's refusal to endorse a state registration application (https://www.forum18.org/archive.php?article_id=2752). 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 (https://www.forum18.org/archive.php?article_id=2752). "They are now afraid to raise the issue with the authorities, and they still

cannot meet as a community for prayers," a human rights defender noted. "They are not happy."

Jakhongir Azomkhanov, Tashkent Regional Administration's official overseeing freedom of religion or belief issues, defended the regime's blocking of the Abu Zar Mosque community's registration attempts. "There are very large mosques in the areas where Muslims can pray, and they can attend those," he claimed to Forum 18 on 25 April. "Those Mosques also have convenient parking places for private cars. Why don't they just attend those Mosques?"

When Forum 18 pointed out that the Abu Zar Mosque was built by the mosque community who would like to pray every day in their own mosque, and that travel to other mosques can be difficult, Azomkhanov did not address the points. He said he would pass them on to the head of his department, Muhammadmuso Khusanboyev. Azomkhanov claimed that Khusanboyev "is busy and cannot talk" to Forum 18.

Protestant churches repeatedly refused registration

Protestant churches across Uzbekistan have also repeatedly over many years experienced similar obstruction when applying for registration (https://www.forum18.org/archive.php?article_id=2752).

Protestants in various regions across the country, who wish to remain anonymous for fear of state reprisals, told Forum 18 in April 2024 that many churches have between 2022 and 2024 been refused registration. Refusals have come either from local administrations, or from the regime's Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699) in Tashkent.

The regime uses many excuses to block registration applications. One excuse used to block a registration application from a Protestant church in Samarkand Region was that church leaders do not have an educational qualification recognised by the regime's Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699). "The only qualification the Committee will recognise is one from the officially registered Protestant Seminary in Tashkent."

The Seminary follows the educational requirements laid down by the Religious Affairs Committee. So, even if there are no other problems, "the church will have to wait five years for a church leader to get a qualification and so for the church to be eligible to apply for registration".

Unregistered religious communities targeted

In late March and April 2024, police "Struggle with Extremism and Terrorism Departments" (https://www.forum18.org/archive.php?article_id=2699) and the State Security Service (SSS) secret police (https://www.forum18.org/archive.php?article_id=2699) summoned members of several unregistered Protestant churches in Nukus in Karakalpakstan and Urgench in Khorezm Region for questioning. Church members were questioned about why they attend "illegal" churches, and warned not to attend the churches.

Protestants, who wished to remain anonymous for fear of state reprisals, told Forum 18 that the police and SSS secret police pressure happened even though some of the churches had applied for state registration in recent years but had been refused. "This leaves those churches very vulnerable to manipulation and threats from the authorities. Especially new believers are afraid to attend meetings for worship," one Protestant told Forum 18.

SSS secret police officers told one Protestant that they are attending an "illegal extremist Wahhabi [Islamic] group". (Since the 2005 violent suppression of the Andijan uprising (<https://www.osce.org/files/f/documents/1/1/15653.pdf>), officials have sometimes used the accusation of Wahhabism to refer to those they dislike – such as Jehovah's Witnesses.)

The SSS secret police then tried to pressure the Protestant to "work for the police to spy on the Church", a local Protestant who knows the case told Forum 18. They asked not to give their or the believer's details for fear of state reprisals. "Of course the believer refused their offer." The SSS actively recruits informers and agents (https://www.forum18.org/archive.php?article_id=2699) among all religious communities.

Safarbay Alimbetov, head of Nukus Police "Struggle with Extremism and Terrorism Department" (https://www.forum18.org/archive.php?article_id=2699), denied that Protestants were summoned and questioned. "No such cases happened recently, and we did not question anyone," he claimed to Forum 18 on 23 April. When Forum 18 told him that it had happened, he repeated his claim and then refused to talk more.

Similarly, Ilkham Myrzayev, head of Urgench Police "Struggle with Extremism and Terrorism Department", refused to explain why regime agencies summoned and questioned the Protestants. "It is secret information and I cannot share it with you," he claimed to Forum 18 on 23 April, before refusing to talk more.

Unregistered churches "are vulnerable to officials' pressure", one Protestant commented to Forum 18. "This is done to discourage

new believers especially from attending churches, or pressure them to spy for the authorities."

Registration doesn't stop problems

Regime obstructions have prevented Bukhara's registered Baptist Union Church from meeting in its building (https://www.forum18.org/archive.php?article_id=2888) since May 2021. The Church hopes to be given a new building to meet in in 2024, but this has not happened. From January 2024 officials have "temporarily" allowed it to use a kindergarten as a storage space but not for meetings.

"At the end of March construction work on the Church's new building stopped," Baptists who wished to remain anonymous told Forum 18 on 24 April. Church members offered to do the work themselves, but the city administration has not answered their request to be allowed to do this.

"I know the situation but I do not know why they stopped construction work," the regional official of the Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2699), Jahongir Sharipov, claimed to Forum 18 on 24 April. "I am not responsible for it. Please ask the City Administration," Sharipov said before refusing to talk more. Sharipov has a record of refusing to answer questions (https://www.forum18.org/archive.php?article_id=2888) on the issue.

Neither Erkin Majidov of Bukhara Administration (who is overseeing the construction of the building for the Baptists), nor Feruz Khamroyev (Deputy Head of Bukhara City Administration), answered their phones whenever Forum 18 called on 24 and 25 April. Doniyor Avliyakov, who works for Khamroyev, refused to explain to Forum 18 on 25 April why the Baptists are not allowed to meet or repair their own church building (https://www.forum18.org/archive.php?article_id=2888). (END)

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

For background information, 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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