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UZBEKISTAN: Criminal prosecutions and threats "just a coincidence"?

By Igor Rotar, Forum 18

An unusual surge of criminal prosecutions of religious minorities – Pentecostal Christians including one punished with a massive fine, and a Jehovah's Witness – and threats of criminal charges against a Baptist Pastor is, the head of the state committee for religious affairs has told Forum 18 News Service, "just a coincidence." The "crime" of the Jehovah's Witness, Dilshod Akhmedov, was to give a copy of The Watchtower to a passer-by on a Tashkent street. Literature, including an Uzbek Bible, confiscated from Pentecostal Bakhrom Nazarov was burnt by the authorities. Baptist Pastor Nikolai Shevchenko suggested to Forum 18 that, as this took place at the same time as an official US delegation was visiting, the government is trying to "demonstrate that it is not afraid of pressure from the international community and that it does not intend to observe international standards on the rights of believers." The last known criminal prosecution of a religious minority member was in 2002.

Despite two criminal cases against believers – one a Pentecostal Christian, the other a Jehovah's Witness – and threats of a third against a Baptist pastor, the head of the government's committee for religious affairs strongly denied suggestions that the government is stepping up its moves against religious communities. "It is just a coincidence that criminal cases against representatives of religious minorities have been brought almost simultaneously," Shoazim Minovarov told Forum 18 News Service in the capital Tashkent on 15 November.

Minovarov said he was not aware of the heavy fine imposed in October on Pentecostal Bakhrom Nazarov in the southern Surkhandarya region, bordering Afghanistan, but defended the case underway against Tashkent-based Jehovah's Witness Dilshod Akhmedov. "Proselytism and missionary work are forbidden under Uzbek law. Akhmedov broke that law, and a lawbreaker must be punished," he insisted.

The criminal case against 21-year-old Akhmedov began in Tashkent on 12 November under Article 216 (2) (breaking the law on religious organisations). His "crime" consists of giving a copy of the Jehovah's Witness magazine The Watchtower to a passer-by, N. Shin, on a Tashkent street on 22 June.

According to Article 216 (2) "The conversion of believers from one faith to another (proselytism) and other missionary activity will, after the application of penalties under administrative law for similar activities, be punished by a fine of between 50 and 100 times the minimum wage or up to six months' detention or up to three years in prison." Uzbekistan's minimum monthly wage is currently 5,540 soms (40 Norwegian kroner, 5 Euros or 6 US dollars). Such a ban on "proselytism" violates Uzbekistan's international human rights commitments.

Akhmedov's criminal case was brought because he has already been prosecuted for proselytism under the code of administrative offences. On 31 March the Yaksarai district court in Tashkent sentenced him to 15 days' detention under Article 240 (breaking the law on religious organisations) of the administrative code for preaching in public places (see F18News 20 October 2004 http://www.forum18.org/Archive.php?article_id=435).

"We knew several months ago that the Yaksarai district police department was gathering documents in order to bring a criminal case against Akhmedov," Sergei Artyushkov, head of a Jehovah's Witness community seeking registration in Tashkent, told Forum 18 on 16 November. "But because of repeated delays in issuing him with official notification that a criminal case was being brought against him, we still hoped that the case would not reach court. But evidently someone high up decided anyway 'not to pardon' Akhmedov."

Meanwhile, on 19 October Sherabad district criminal court of Surkhandarya region found Pentecostal Bakhrom Nazarov guilty of breaking articles 216-2 part 2 and 229-2 (breaking the law on preaching religious doctrines) of the criminal code. He was fined 326,500 sums (1,945 Norwegian kroner, 239 Euros or 312 US dollars), a massive sum by Uzbek standards. This is almost 60 times the minimum wage, which is 5,540 sums (34 Norwegian Kroner, 4 Euros, or 5 US Dollars) a month.

Christian literature – including the Bible in Uzbek and the Wisdom of Solomon (the Old Testament Book of Proverbs) – confiscated

from him was burnt by the authorities. One Protestant who preferred not to be named pointed out to Forum 18 that such literature is not illegal in Uzbekistan.

Earlier, on 14 July, the criminal court in Termez, the administrative centre of Surkhandarya region, had sentenced Nazarov to 10 days' imprisonment under Article 240 and Article 241 (breaking the law on giving religious instruction) of the administrative code. At the same time, ten ethnic Uzbek members of his congregation were sentenced to fines of between 32,680 (195 Norwegian Kroner, 24 Euros, or 31 US Dollars) and 5,440 sums (34 Norwegian Kroner, 4 Euros, or 5 US Dollars).

When Pastor Nikolai Shevchenko of the Bethany Baptist Church in Tashkent was fined 65,000 sums (398 Norwegian Kroner, 49 Euros, or 63 US Dollars) on 26 October by the Mirzo-Ulugbek district court in Tashkent under article 240 of the administrative code, the judge warned him that if he did not halt the activity of his church a criminal case would be brought against him. As the trial took place at the same time as a visit by an official US delegation, Pastor Shevchenko suggested to Forum 18 that "Tashkent is using this to try and demonstrate that it is not afraid of pressure from the international community and that it does not intend to observe international standards on the rights of believers" (see F18News 28 October 2004 http://www.forum18.org/Archive.php?article_id=440).

On 29 October, the same court issued an official warning to five Bethany church members under the same article of the administrative code, despite what one Protestant told Forum 18 was "a lack of evidence".

It is very rare for representatives of religious minorities to face criminal prosecution in Uzbekistan. The last recorded case was in 2002, when Jehovah's Witness Marat Mudarisov was tried on charges of inciting national and religious hatred and given a suspended three-year labour camp sentence. But following an appeal by the Jehovah's Witnesses to the Supreme Court and thanks to international attention to his case, he was finally cleared of the charges in October 2003 (see F18News 28 January 2004 http://www.forum18.org/Archive.php?article_id=237).

Minovarov told Forum 18 that his committee for religious affairs has prepared a new draft law on religion – to replace the current 1998 version - that would largely be in line with international standards. In particular, he claimed, the new draft law does not outlaw missionary work and proselytism. However, he categorically refused to share other new provisions in the proposed draft law with Forum 18, saying it was "still too soon to talk about it". (END)

For more background information see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=105

A printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY