

20 June 2006

UZBEKISTAN: "Very real" threat of Protestant pastor's arrest

By Igor Rotar, Forum 18

Amid rising government persecution of Protestants, Jehovah's Witnesses and other religious minorities in Uzbekistan, a Protestant pastor from Andijan [Andijon] faces up to twenty years' imprisonment if prosecutors go ahead with a trial for treason, Protestants have told Forum 18 News Service. Dmitry Shestakov, known as David, who leads a registered Full Gospel Pentecostal congregation in the city, has gone into hiding for fear of arrest. "It's unclear exactly which article I'm to be prosecuted under," he told Forum 18 from his place of hiding on 20 June, adding that he has learnt that the Prosecutor's Office might have changed the accusation to one of inciting religious hatred, which carries a five year maximum prison term. "The one thing I can say with certainty is that the threat of arrest is very real." An official of the Andijan regional Prosecutor's Office told Forum 18 that the number for the investigator in the case, Kamolitdin Zulfiev, is secret. Were Shestakov to be given a long prison term it would represent a major escalation of moves against religious minorities.

A Protestant pastor from Andijan [Andijon] in eastern Uzbekistan, Dmitry Shestakov, faces between ten and twenty years in prison if found guilty of treason charges apparently lodged against him by the Andijan regional Prosecutor's Office, Protestant sources told Forum 18 News Service. Shestakov – who has gone into hiding for fear of arrest – told Forum 18 that prosecutors have not given him the charge-sheet in writing. "So it's unclear exactly which article I'm to be prosecuted under," he told Forum 18 from his place of hiding on 20 June. "I learned that they launched a case against me under Article 157 for treason, but I've just found out today that a new decision was taken today to charge me under Article 156." This article punishes "inciting ethnic, racial or religious hatred" with imprisonment of up to five years. "The one thing I can say with certainty is that the threat of arrest is very real."

Shestakov, who is 37 years old and is known as David, is pastor of the registered Full Gospel church in Andijan. His supporters insist he has committed no crime. "His only guilt is that was engaged in preaching Christianity," one Protestant who preferred not to be identified told Forum 18.

Protestants told Forum 18 that at first the Prosecutor's Office intended to launch a case against Shestakov under Article 216-2 of the Criminal Code, which punishes "violation of the law on religious organisations" with imprisonment of up to three years, but then was ordered by the National Security Service (NSS) secret police to charge Shestakov with the far more serious offence of treason. After investigator Kamolitdin Zulfiev lodged a case against him under Article 157 of the Criminal Code, Shestakov was forced to go into hiding to evade arrest.

The head of the government's Religious Affairs Committee, Shoazim Minovarov, says he has heard nothing about a case against Pastor Shestakov. "However, if he really has been charged under Article 157 of the Criminal Code this would be strange," Minovarov told Forum 18 from the capital Tashkent on 20 June. "Believers who systematically conduct illegal religious activity are usually accused under Article 216-2 of the Criminal Code." He did not say why Uzbekistan bans religious believers from freely practising and spreading their faith, in line with international human rights commitments the country has freely signed.

Shestakov has already faced ordinary police and NSS secret police raids on his church. During one search, 11 videotapes, two audiotapes, seven CDs and a Christian book in Uzbek which recounts how ten Muslims adopted Christianity were seized. "The secret police was particularly angered that Shestakov was preaching among ethnic Uzbeks," one Protestant told Forum 18. "It seems they are preparing to make Shestakov's trial a warning to others."

Religious literature is strictly censored in Uzbekistan (see F18News 6 September 2005 http://www.forum18.org/Archive.php?article_id=643) and strict postal censorship of religious literature is also applied (see F18News 14 November 2005 http://www.forum18.org/Archive.php?article_id=687).

Forum 18 was unable to reach investigator Zulfiev at the Andijan regional Prosecutor's Office to find out why Shestakov is being prosecuted and under what article of the Criminal Code. The secretary to the region's chief prosecutor, who refused to give his name, said Zulfiev's telephone number is a secret.

Fines for "illegal" religious activity under various articles of the Criminal and Administrative Codes were sharply increased last December (see F18News 27 January 2006 http://www.forum18.org/Archive.php?article_id=720).

"All Christians in Andijan are today facing massive pressure," another Andijan-based Protestant pastor, Bakhtier Tuichiev, told Forum 18 from the city on 20 June. "Just the other day I was summoned to the regional Prosecutor's Office and was forced to write a statement that I wouldn't engage in religious activity." His church has been repeatedly refused registration which means that, under Uzbekistan's repressive laws, any religious activity it undertakes is against the law and is liable to prosecution. Tuichiev was physically assaulted in December 2005 in what he believes was an attack organised by the authorities (see F18News 2 February 2006 http://www.forum18.org/Archive.php?article_id=722).

Protestants are among religious believers of a number of faiths facing rising government persecution in recent months, which has included: the closure of a Seventh-day Adventist and a Korean-led church in Samarkand [Samarqand] region, a raid on a Baptist church in the Fergana Valley during Sunday worship and a subsequent fine imposed on the host (see F18News 19 May 2006 http://www.forum18.org/Archive.php?article_id=784); trials of Muslims, apparently for being serious in the practice of Islam (see F18News 15 May 2005 http://www.forum18.org/Archive.php?article_id=780); the jailing of a Jehovah's Witness, a banned Protestant church being raided and children intimidated and threatened in a bid to force them to renounce their Christian faith (see F18News 5 May 2006 http://www.forum18.org/Archive.php?article_id=774); and Muslim prisoners being banned from saying Muslim prayers (see F18News 2 May 2006 http://www.forum18.org/Archive.php?article_id=772).

On 13 May a group of police officers raided a summer camp in Yangiyul district near Tashkent run by the Full Gospel Church. Protestant sources told Forum 18 that police officers beat the church watchman and then used "crude force" to load all the church members present onto a coach and took them to the Yangiyul police station. There officers demanded that all those present write statements admitting that they had taken part in an "illegal religious meeting".

However, Shestakov's case - with its threat of treason charges and a long jail sentence - is unique in the persecution of religious minorities in Uzbekistan's recent history. When the authorities wish to punish religious believers for their activity they generally prosecute them under two articles of the Code of Administrative Offences: Article 240, which punishes "violation of the law on religious organisations", or Article 241, which punishes "violation of the procedure for teaching religion". The maximum penalty under these articles is 15 days' imprisonment, though usually religious believers are fined instead of being sent to prison. Those already punished under either of these articles can be punished for a repeat offence under Article 216-2 of the Criminal Code, which punishes "violating the law on religious organisations" with imprisonment of up to three years, though courts have so far not handed down the full punishment to members of religious minorities, generally confining punishments to a fine or imprisonment of up to 15 days.

The only case known to Forum 18 of an extended prison sentence given in recent years to a member of a religious minority, for religious activity, was in 2002, when Jehovah's Witness Marat Mudarisov was arrested in Tashkent by the NSS secret police. After several months in isolation investigation cells he was tried under Articles 156, 159 (threatening the constitutional system) and 215 (insulting state symbols) of the Criminal Code and given a suspended prison sentence. It was only after international pressure that in October 2003 he was finally exonerated (see F18News 28 January 2004 http://www.forum18.org/Archive.php?article_id=237). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all faiths as the best antidote to Islamic religious extremism in Uzbekistan, see http://www.forum18.org/Archive.php?article_id=338

For more background, see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=777

For an analysis of whether the May 2005 Andijan events changed state religious policy in the year following, see http://www.forum18.org/Archive.php?article_id=778. For an outline of what is known about Akramia itself, see http://www.forum18.org/Archive.php?article_id=586, and for a May 2005 analysis of what happened in Andijan http://www.forum18.org/Archive.php?article_id=567.

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

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