

15 February 2007

UZBEKISTAN: Government closes another Jehovah's Witness congregation

By Igor Rotar, Forum 18

Jehovah's Witnesses are deciding whether or not to appeal against a decision to strip legal status from their congregation in Fergana, eastern Uzbekistan, Forum 18 News Service has learnt. The government's decision means that all Jehovah's Witness activity in the city is now illegal and subject to harsh penalties. All but one of the more than 30 Jehovah's Witness communities in Uzbekistan have been persistently refused legal status. An Uzbek-based lawyer told Forum 18 that the Jehovah's Witnesses have virtually no chance of successfully appealing, as the regional Justice Department simply carries out instructions from the Uzbek government. An official in the Parliamentary Ombudsperson's Office, Maruf Usmanov, told Forum 18 that "It is your personal opinion that any registered or unregistered religious communities are being persecuted. We've had not one single complaint from religious believers." But this claim is contradicted by a letter Forum 18 has seen from the Ombudsperson, Sayora Rashidova, in response to complaints about the criminal case launched in 2006 against Pentecostal pastor Dmitry Shestakov, who is now awaiting trial.

The Jehovah's Witness congregation in the city of Fergana [Farghona] has failed in its attempts to regain legal status through the courts, Jehovah's Witness sources have told Forum 18 News Service. The community has one chance left to appeal to the republican court in the capital Tashkent, but has not yet decided whether to do so. This stripping of legal status means that any religious activity the community conducts is now illegal and punishable under the Administrative Code or, for repeat offences, the Criminal Code. This puts it on a par with all but one of the more than 30 Jehovah's Witness communities in Uzbekistan which have been persistently refused legal status.

An Uzbek-based lawyer who defends the rights of religious minorities, who wishes to remain anonymous, told Forum 18 that the Jehovah's Witnesses have virtually no chance of successfully appealing at the national court level against the decision of the regional Justice Department since it simply carries out instructions from the Uzbek government, which is trying to reduce the influence of religious minorities in the country.

Forum 18 tried to find out from the Parliamentary Ombudsperson, Sayora Rashidova, what she is doing to help religious communities that cannot get legal status or which have had their legal status removed. Maruf Usmanov, a specialist in the office, told Forum 18 on 9 February that Rashidova was absent. However, he categorically rejected any complaints. "It is your personal opinion that any registered or unregistered religious communities are being persecuted," he told Forum 18 from Tashkent. "We've had not one single complaint from religious believers."

However, this claim is contradicted by a letter Forum 18 has seen, dated 11 October 2006, from Rashidova to the Uzbek General Prosecutor's Office and to the Andijan police investigator, in response to complaints about the criminal case launched last year against Andijan-based Pentecostal pastor Dmitry Shestakov, who is now awaiting trial (see F18News 14 February 2007 http://www.forum18.org/Archive.php?article_id=911).

On 21 December 2006, the Jehovah's Witnesses lost an action in Fergana city court against Fergana Regional Administration, which had cancelled the registration of the local Jehovah's Witness congregation (see F18News 20 December 2006 http://www.forum18.org/Archive.php?article_id=892), and on 30 January 2007 lost a similar action in the regional court, Kirill Kulikov, a defence lawyer for the Jehovah's Witnesses in Central Asia, told Forum 18 from St Petersburg in Russia on 8 February.

The decision to close down the Jehovah's Witness organisation in Fergana region of eastern Uzbekistan was taken by the regional Justice Department on 24 August 2006 (see F18News 5 September 2006 http://www.forum18.org/Archive.php?article_id=837).

The department based its decision on infringements of the law on the part of the Jehovah's Witnesses: failure to register a change in the legal address of the organisation; obtaining religious literature without an expert assessment of its content; and carrying out missionary activity (see F18News 5 September 2006 http://www.forum18.org/Archive.php?article_id=837).

Fazliddin Pavlanov, head of the Religious and Social Organisations Registration Section of the Fergana regional Justice Department,

maintained that the decision to cancel the registration of the Jehovah's Witnesses' registration was "perfectly legal". "They had broken several laws," he told Forum 18 from Fergana on 14 February. "First, they had been engaging in active missionary work – and we have witnesses. Second, they had been meeting at a different address from the one given in their registration document. And third, they had been supplying literature which had not been through the expert approval process."

According to the Uzbek Religion Law, which contravenes international human rights standards, members of a religious community may hold services only at its registered legal address. The Religion Law also requires members of religious organisations to submit religious literature to the government's Religious Affairs Committee for compulsory prior expert assessment; they may distribute such literature only if the Committee approves it. The Law also forbids members of a religious organisation to engage in missionary activity.

However, Kulikov insists that the Jehovah's Witnesses in Fergana have not broken the Law. "The Jehovah's Witnesses explained to the authorities that they had lost the house where their community had been registered and they immediately set about registering a new legal address," he told Forum 18. "The Justice Department's conclusion about the obtaining of religious literature without expert approval does not reflect the true situation." He said the religious literature which arrives at the one legal Jehovah's Witnesses organisation in the town of Chirchik [Chirchiq] near Tashkent has gone through the required expert approval process. He added that with the agreement of the Religious Affairs Committee, the community in Chirchik functions as a central organ for the Jehovah's Witnesses and hence it is there that religious literature arrives. Only after that was some of the literature, which had been approved by the Committee, sent on to the community in Fergana.

Official censorship of all religious literature was markedly increased in June 2006 (see F18News 29 June 2006 http://www.forum18.org/Archive.php?article_id=805).

Kulikov also insisted that individual Jehovah's Witnesses in Fergana do not engage in missionary activity aimed at converting members of other religions to their faith. "There are no cases of fuelling religious enmity between Jehovah's Witnesses and Muslims," he told Forum 18.

The decision by the Justice Department makes all Jehovah's Witness activity outside the remaining congregation in Chirchik illegal. "Under Uzbek law, unregistered religious communities are not allowed to function and now our brothers in Fergana will not be free to preach their religious beliefs in peace," a Jehovah's Witness, who preferred not to be named for fear of reprisals, told Forum 18 last August (see F18News 5 September 2006 http://www.forum18.org/Archive.php?article_id=837). "The closure of our sister congregation in Fergana demonstrates how the authorities' relations with Jehovah's Witnesses have deteriorated." Among "fresh examples" of this, the Jehovah's Witness cited the recent denial by the government's Religious Affairs Committee of permission to extend the Kingdom Hall in Chirchik, the only remaining legal Jehovah's Witness place of worship in Uzbekistan.

Pressure has been increasing against religious minorities such as Protestants and Jehovah's Witnesses in recent months, with a Jehovah's Witness being forced to leave the country because of a possible threat to kill him (see F18News 28 November 2006 http://www.forum18.org/Archive.php?article_id=878). State-run media encouragement of intolerance against religious minorities has been stepped up (see F18News 19 December 2006 http://www.forum18.org/Archive.php?article_id=890), as has a propaganda campaign to camouflage Uzbekistan's religious freedom violations (see F18News 19 December 2006 http://www.forum18.org/Archive.php?article_id=891). (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.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

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