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UZBEKISTAN: Even harsher Religion Law planned?

By Felix Corley, Forum 18

Uzbekistan appears to be planning changes to its harsh Religion Law, Forum 18 News Service has learnt. It is unclear how far the process has reached, but, sources in Uzbekistan state that the issue is under discussion in the state Religious Affairs Committee. Forum 18 has been unable to find out from the Committee or from the country's parliament whether a draft Law has already been produced. Nor is it clear how extensive the changes will be to what is already a highly repressive Religion Law. Some religious leaders Forum 18 spoke to have said they know nothing about any plans to amend the Religion Law. Others refused to discuss the issue. Since the current Religion Law and changes to the Criminal and Administrative codes were introduced in 1998, later changes to other laws and regulations have imposed even tighter restrictions on freedom of thought, conscience and belief. Religious believers of a variety of faiths have pointed out to Forum 18 that many violations of their rights go beyond even the tight restrictions in published laws.

Uzbekistan's government appears to be drawing up plans to change the already harsh Religion Law, Forum 18 News Service has learnt. However, it remains unclear how far the process has reached. Sources in Uzbekistan, who preferred not to be identified, have told Forum 18 that the issue is already under discussion in the government's Religious Affairs Committee, which reports to the Cabinet of Ministers. But Forum 18 has been unable to find out from the Committee or from the Oliy Majlis, the country's parliament, whether a written draft Law has already been produced. Nor is it clear how extensive the changes will be to what is already the most repressive Religion Law of all the former Soviet republics.

Sources told Forum 18 that, on 23 October, the Religious Affairs Committee wrote to state-registered religious associations with a nationally registered central administration, seeking their views on how the Law should be changed. The letter, signed by Begzot Kadyrov, Deputy Chair of the Committee and head of its section for work with confessions, demanded that proposals be presented by 25 October. Leaders were told that the issue was to be discussed at a meeting of the Council for Religious Confessions.

The Council was set up in 2004 under the Religious Affairs Committee, with four state officials and leaders of seven religious communities: the Muslim Board, the Russian Orthodox Church, the Catholic Church, the Lutheran Church, the Baptist Union, the Full Gospel Church and the Jewish community. Some members of these communities have been used by the state, in the past, to publicly incite intolerance of religious minorities and freedom of thought, conscience and belief (see F18News 18 December 2006 http://www.forum18.org/Archive.php?article_id=890).

Sources within Uzbekistan expressed surprise at the very short deadline, just two days, given to nationally registered religious organisations to state their views on changing the Religion Law.

Forum 18 has been unable to find any official at the Religious Affairs Committee prepared to discuss what changes to the religion law are under discussion, how the changes would impact on the life of religious believers and communities, and whether a draft text has already been prepared. The men who answered Kadyrov's phone on 1 and 2 November told Forum 18 on both occasions that he was not in the office. The men who answered on the Committee's main telephone number on both days also said Kadyrov was not in the office, that the Committee chairman Artyk Yusupov was also not in the office and that no other officials of the Committee were in the office.

The switchboard of the Oliy Majlis refused to give Forum 18 the telephone numbers of Azamat Ziyov, who chairs the Science, Education, Culture and Sport Committee, or of Nurdinjon Ismoilov, who chairs the Legal and Juridical Committee. They repeatedly would give only the number of the International Department, but the man who answered that phone on 1 November refused to give any numbers.

Some religious leaders Forum 18 spoke to have said they know nothing about any plans to amend the Religion Law. Others refused to discuss the issue.

Officials frequently boast about the current Religious Law. "Observing the norms of international pacts and agreements on human rights concerning freedom of conscience, the laws of Uzbekistan take account of the basic provisions and demands of these international agreements and determine the principles and procedures for realising the freedom of religion and belief enshrined in the

Constitution," a recent commentary on the Foreign Ministry's Jahon news agency website declares.

The current Religion Law was adopted in May 1998 and brought in tight restrictions. It banned unregistered religious activity, as well as spreading one's faith and private teaching of religion. It allowed only religious communities with a registered central administration to publish religious literature or establish religious education colleges. These colleges also need registration with the Ministry of Justice before they can operate. To register a central administration, a religious community must have state-registered religious communities in eight of Uzbekistan's 14 regions. Individual religious congregations are required to have at least 100 adult citizen members to be allowed to apply for registration.

Unregistered religious communities which try to seek registration have been closed down by the state, a recent known example being the Resurrection Full Gospel Pentecostal Church. This church closed as it decided it was "too dangerous" to continue to meet under state pressure (see F18News 19 June 2007 http://www.forum18.org/Archive.php?article_id=976). Even registered religious communities of all faiths are often forced to close by the state (see F18News 16 February 2007 http://www.forum18.org/Archive.php?article_id=913). Registered communities known to be under such current threat include the Grace Presbyterian Church in Tashkent (see F18News 30 August 2007 http://www.forum18.org/Archive.php?article_id=1012) and the Jehovah's Witness congregation in Chirchik (see F18News 21 August 2007 http://www.forum18.org/Archive.php?article_id=1019).

The 1998 Law warned that those sharing their beliefs with others and anyone conducting "any illegal religious activity" would be subject to criminal prosecution. It also warned that religious leaders who "evade" registration of their organisation's charter would be subject to prosecution. Also liable for prosecution would be state officials who allowed unregistered religious groups to function. The "crime" of unregistered religious activity is taken very seriously by the authorities, one current example being the nationwide manhunt for Protestant Christian Makset Djabbarbergenov. Uzbek police have stated that this is because "he gathers people in his home for religious activity" (see F18News 12 October 2007 http://www.forum18.org/Archive.php?article_id=1034).

Under the 1998 Religion Law, all religious-based political and social movements were also banned. The Law also introduced a ban on anyone apart from clerics from appearing in "public places" in "cult vestments".

The 1998 Law was adopted in parliament under heavy pressure from President Islam Karimov, who claimed it was necessary to counter "Wahhabi" Muslims - a term widely used in Central Asia to denote anyone from peaceful devout Muslims to Islamist militants. Karimov himself addressed parliament on 1 May 1998, urging deputies to adopt the Law and vigorously attacking "Wahhabi" Muslims. BBC Monitoring transcribed an Uzbek state radio broadcast of Karimov's speech, in which he stated that parliament must adopt strict measures against "Wahhabis" as "such people must be shot in the forehead. If necessary, I'll shoot them myself."

At the same time, the Criminal Code and the Administrative Code were both changed, to in some cases introduce and in others increase penalties for "illegal" religious activity.

The 1998 Law and changes to the Criminal and Administrative codes violated a range of international human rights commitments which Uzbekistan has freely undertaken. These include the International Covenant on Civil and Political Rights, as well as the politically binding Human Dimension commitments of the Organisation for Security and Co-operation in Europe (OSCE).

Although the Religion Law itself does not appear to have been amended since 1998, changes to other laws and regulations have imposed even tighter restrictions on freedom of thought, conscience and belief.. For example a Cabinet of Ministers decree (no. 99) of 1 May 2004 set out how registered religious administration bodies apply for permission to open religious colleges. Such permission is granted for up to five years at a time by the Cabinet of Ministers and handled by the Religious Affairs Committee, after the Committee has approved the entire curriculum and the potential teachers. Banned from any curriculum is teaching in favour of "proselytism or any missionary activity". All foreign-produced educational materials need to pass the general compulsory religious censorship by the Committee. The decree was amended again in November 2004 and May 2006. Censorship – and at times destruction - of religious materials of any description in Uzbekistan is very strictly enforced (see F18News 24 October 2007 http://www.forum18.org/Archive.php?article_id=1039).

The Uzbek authorities have repeatedly increased penalties in recent years for what they regard as "illegal" religious activities. Fines were sharply increased for a number of "offences" in amendments to the Criminal and Administrative Codes in late 2005 (see F18News 27 January 2006 http://www.forum18.org/Archive.php?article_id=720). These were followed by further amendments to the Criminal and Administrative Codes which came into force in June 2006 instituting new penalties for the "illegal" production, storage, import and distribution of all unapproved religious literature (see F18News 29 June 2006 http://www.forum18.org/Archive.php?article_id=805).

However, religious believers of a variety of faiths have pointed out to Forum 18 that many violations of their rights go beyond even the tight restrictions in published laws. One example is the confiscation of even legally imported religious material seized in police raids on religious communities (see F18News 30 August 2007 http://www.forum18.org/Archive.php?article_id=1012).

Leaked official documents Forum 18 has received indicate heavy state control of all religious activity. An April 2007 internal document from Andijan [Andijon] Region Hokimat (administration) reveals, for example, the issuing by the authorities of orders to religious communities "to prevent missionary activity," "to bring under constant close observation all officially registered religious organisations" and "to strengthen the struggle with people conducting illegal religious education and organising small religious gatherings" (see F18News 21 May 2007 http://www.forum18.org/Archive.php?article_id=959).

The police and National Security Service (NSS) secret police conducts extensive surveillance – both overt and covert - on religious communities of all faiths. The methods used include hidden microphones in places of worship, the presence of NSS agents inside and outside places of worship, and the recruitment of spies within communities (see F18News 5 September 2007 http://www.forum18.org/Archive.php?article_id=1014). (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.

Full reports of the religious freedom situation in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

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](mailto:f18news@editor.forum18.org)

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY