

15 June 2010

UZBEKISTAN: Samarkand – city of closed Protestant churches

By Felix Corley, Forum 18, and Mushfig Bayram, Forum 18

The seventh in a series of Protestant churches stripped of state registration in the central Uzbek city of Samarkand in the past four years is still battling to regain it. Without registration, all religious activity is illegal. "For more than a year our church has been trying to establish the illegality of the stripping of registration," a member of Samarkand's Central Protestant Church told Forum 18 News Service. "All the courts either say it is not within their competence or remain silent." Asked if there was any hope that the church would be able to regain its registration, an official of Samarkand Regional Justice Department told Forum 18: "I don't know what decision we will take. I am not a doctor." At least one further local Protestant church has applied in vain for registration for the past decade. "Now all of us have been deprived of the fundamental right to pray together and worship God," one local church leader complained. Local Muslims, Hare Krishna devotees and Jehovah's Witnesses have also faced harassment.

One year after being stripped of state registration for "crude mistakes and inadequacies" – thus rendering all its religious activity illegal and its leaders and members liable to punishment – the Central Protestant Church in the central city of Samarkand [Samarqand] is fighting for survival. The church has failed in its challenge through numerous courts, including Uzbekistan's Supreme Court, Forum 18 has learnt. "For more than a year our church has been trying to establish the illegality of the stripping of registration," one church member told Forum 18. "All the courts either say it is not within their competence or remain silent."

The Central Church was the seventh Protestant church known to Forum 18 to have been stripped of registration in Samarkand by the Regional Justice Department in the past four years. At least one further local Protestant church has applied in vain for registration for the past decade. "Now all of us have been deprived of the fundamental right to pray together and worship God," one local church leader complained.

As successive Protestant churches have been closed down in Samarkand, local Protestants have often chosen to attend the ever-fewer open Protestant congregations.

Even registered communities face pressure. Pastor Andrei Kosulitsky, who leads the registered Baptist Church in Samarkand, was given an official warning in February 2009 (see F18News 8 April 2009 http://www.forum18.org/Archive.php?article_id=1282).

Unregistered religious activity banned

In defiance of Uzbekistan's international human rights commitments, all unregistered religious activity is banned and can be punished with heavy penalties.

State registration is very difficult to get for religious communities the state does not like. Jehovah's Witnesses have faced particular difficulties. Of the more than 30 communities believed to exist, only one now has state registration, in the town of Chirchik [Chirchiq] near the capital Tashkent.

In its submissions to the Universal Periodic Review (UPR) of its human rights record at the United Nations Human Rights Council in 2009, Uzbekistan dismissed complaints about the compulsory registration requirement, and the difficulty many religious communities face acquiring registration. Instead of facilitating freedom of religion or belief, registration is used as a weapon against this fundamental human right (see F18News 4 August 2009 http://www.forum18.org/Archive.php?article_id=1334).

Religious communities which have been able to get state registration often live in fear that such registration can be stripped from them at any moment, as has happened to mosques, churches and other religious communities.

Members of Tashkent's Protestant Church of Christ fear that a massive 16 May raid and imprisonment for up to 15 days of six church members might be a prelude to the stripping of registration (see F18News 18 May 2010 http://www.forum18.org/Archive.php?article_id=1445).

Stripped of registration

Samarkand's Central Protestant Church – which was founded in September 1991 and is led by Pastor Sergei Kim – was stripped of registration at a Justice Department meeting on 27 March 2009, according to the decision seen by Forum 18. The decision, signed by Alisher Mardiyev, Head of Samarkand Regional Justice Department, was handed to Pastor Kim on 3 April. Samarkand Regional Justice Department claimed that the church building where it had been meeting for many years was a residential property and therefore not to be used as a place of worship.

Church members complain that the congregation has repeatedly tried to have the building redesignated over many years – in vain. They also complain that the Justice Department had ignored their letter of 25 February 2009 responding to its questions.

In the previous three years, local Protestants pointed out to Forum 18, the Regional Justice Department had already stripped registration from six other local Protestant congregations: Samarkand Church, Miral Church, the Seventh-day Adventist congregation, Esther Church, Grace Church and Namdemun Church.

In addition, Samarkand's Greater Grace Church has applied for registration in vain since 2000 and its members have been intermittently harassed and fined, most recently in February 2010 (see F18News 24 February 2010 http://www.forum18.org/Archive.php?article_id=1413).

The Samarkand Jehovah's Witness community also sought state registration in vain. Its application was rejected in June 2002, with the mayor explaining that there were already ten registered religious minorities and the city did not need any more. Two community members have been imprisoned in recent years for their religious activity (see F18News 4 June 2009 http://www.forum18.org/Archive.php?article_id=1306).

Local Adventists told Forum 18 that their Samarkand congregation was stripped of its registration after a police raid. Officials said the church building was not registered as a place of worship. "The building is still standing but we've been banned from meeting there," one Adventist told Forum 18 on 15 June. "No other registered Adventist congregations exist in the city."

The Adventist congregation tried to regain its registration from the Regional Justice Department, most recently in 2009. "But officials there wouldn't even listen to our request," one Adventist noted sadly.

Long, fruitless legal battle

In the wake of the March 2009 stripping of registration, Central Protestant Church tried to defend its rights in court. Three days after receiving the decision, Pastor Kim lodged a challenge in Samarkand City Criminal Court. However, on 20 April Judge B. Vakhobov rejected the suit. On 2 June 2009 Pastor Kim took his challenge to Samarkand Regional Criminal Court. However, it rejected his suit on 27 June, referring him to the civil courts.

On 1 July 2009 Pastor Kim lodged a challenge to the stripping of registration in Samarkand City Civil Court. However, "in violation of procedural law", no response came.

Pastor Kim therefore brought a suit on 10 August 2009 to Uzbekistan's Supreme Court in Tashkent. However, no response from the court arrived. "We have been deprived of the right to defend ourselves in court," Pastor Kim wrote in a complaint to the General Prosecutor's Office in Tashkent on 18 February 2010. He lodged similar complaints to the Uzbek Parliament's Ombudsperson for Human Rights in Tashkent and the Presidential Administration.

After a further challenge in the Civil Court, it responded on 15 May that as both parties are legal entities, the suit has to be brought to the Economic Court.

On 19 May, Pastor Kim lodged a challenge in Samarkand Regional Economic Court. However, in a 27 May decision seen by Forum 18, Judge O. Khalmirzaev rejected the suit, insisting that it was not formulated correctly. He also ruled that its complaint was not the sort to be subject to the jurisdiction of Economic Courts.

Few comments, no explanation

Officials will not explain why so many local religious communities have been stripped of registration and why they will not return registration to them.

Mardiyev of Samarkand Regional Justice Department, who signed the cancellation of the Church's registration, was not available on 14 June to comment on the case. The official who answered Mardiyev's phone referred Forum 18 to Nosyr Berdiyev, the official responsible for registering religious organisations.

Berdiyev told Forum 18 on 15 June that Central Protestant Church should write a new letter asking for registration. "We will consider their request according the laws of the Republic of Uzbekistan," he responded. Asked if there was any hope that the church would be able to regain its registration, he responded: "I don't know what decision we will take. I am not a doctor."

Berdiyev would not give any details of how many other religious communities were registered or stripped of their registration in Samarkand Region. "We do not give such information over the phone."

No official at the Justice Ministry in Tashkent would explain why so many religious communities in Samarkand and elsewhere have been denied registration or stripped of their registration. On 15 June officials in several offices of the Ministry kept asking Forum 18 to call back, saying that the person responsible for registration of religious organisations was not there. Finally, Forum 18 was told to talk to Samarkand Regional Justice Department.

The state Religious Affairs Committee in Tashkent refused to comment on any of the cases. The official (he did not give his name) who answered the telephone on 14 June of Artyk Yusupov – the Committee's Chairman – took down Forum 18's question but added: "You know very well that we don't give information over the phone. Please come to our office and we will talk."

Maruf Usmanov, the Uzbek Parliament's Deputy Ombudsperson, told Forum 18 from Tashkent on 14 June that Central Protestant Church "should apply for registration at the Regional Justice Department." Told that it was the same department that stripped it of registration, Usmanov declined to comment and referred Forum 18 to its Department for registering complaints.

An official of the Department, who did not give his name, confirmed to Forum 18 the complaint by Pastor Kim, and said that discussions between the Ombudsperson's Office and the Justice Ministry are underway. "Maybe the pastor should forward his complaint once again just to make sure the process speeds up," he said. He declined to make any further comment.

Religious repression in Samarkand

As elsewhere in Uzbekistan, religious communities in Samarkand face regular raids, fines, confiscations of religious literature and prison sentences. Three Protestants from an unregistered congregation were given massive fines in May 2009 for "illegal" religious literature and teaching. Their Christian books were ordered destroyed by the court, as routinely happens in Uzbekistan (see F18News 8 June 2009 http://www.forum18.org/Archive.php?article_id=1307).

Other religious communities too have faced raids, imprisonments and punishments for religious activity in Samarkand. Eleven readers of the works of the late Turkish Muslim theologian Said Nursi were given prison sentences of up to eleven years in July 2009 after five months' pre-trial detention (see F18News 31 August 2009 http://www.forum18.org/Archive.php?article_id=1344).

A Hare Krishna festival being celebrated in a rented hall in Samarkand was raided and halted in February 2009 (see F18News 10 February 2009 http://www.forum18.org/Archive.php?article_id=1252). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all 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=1170.

Full reports on freedom of thought, conscience and belief in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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