

14 July 2010

UZBEKISTAN: Two further short-term jailings, while raids and fines continue

By Felix Corley, Forum 18 (<https://www.forum18.org>)

The ten-day prison terms handed down to Lepes Omarov and another Protestant in Karakalpakstan on 8 July brought to ten the number of people known to Forum 18 News Service to have been given short-term prison terms in 2010 to punish them for their religious activity. All religious activity in Karakalpakstan outside state-approved mosques and one Russian Orthodox church is banned. Elsewhere in Uzbekistan, a Protestant in Tashkent Region was given a written warning that "as the leader of an illegally functioning cell of Protestant tendency" he was breaking the law by holding religious services and sharing his faith and risks prosecution. An "Anti-Terror" operation in Fergana targeted two Baptists offering Christian books – they were fined, while the verdict records that the court "considers it necessary" that the four books confiscated from them be destroyed. No official would discuss these cases with Forum 18.

Two Protestant Christians in the north-western region of Karakalpakstan [Qoraqalpoghiston] were each sentenced to ten days' imprisonment on 8 July to punish them for their religious activity, Protestant sources who asked not to be identified for fear of state reprisals told Forum 18 News Service. The imprisonments bring to ten the number of religious believers in Uzbekistan known to Forum 18 to have been given prison terms of up to 15 days since the beginning of 2010. The jailings come as two mass trials are underway against readers of the works of the Turkish Muslim theologian Said Nursi, which could end in long prison terms, and continuing raids on religious services, fines and court-ordered destruction of religious literature.

No official at the government's Religious Affairs Committee in the capital Tashkent was prepared to discuss the latest violations of religious freedom with Forum 18 on 14 July. Each time Forum 18 called, the phone was immediately put down.

In Uzbekistan, Muslims, Protestant Christians and Jehovah's Witnesses are serving long sentences to punish them for their religious faith. In the most recent trial involving nine defendants, readers of the works of Said Nursi and some of their neighbours and acquaintances were sentenced in the central city of Bukhara [Bukhoro] on 25 June to prison terms of between six and eight years (see F18News 8 July 2010 http://www.forum18.org/Archive.php?article_id=1465).

Another group of ten Nursi readers went on trial in Bukhara on 22 June, while a separate trial of nine Nursi readers began in the capital Tashkent on 17 June (see F18News 5 August 2010 http://www.forum18.org/Archive.php?article_id=1476).

Short-term jailings for up to 15 days are often used to punish people for their religious activity. Forum 18 knows of 25 people – Protestant Christians, Jehovah's Witnesses and Baha'is – who received prison terms of 5 to 15 days between February and November 2009, when the process appeared to stop.

However, short-term jailings resumed in February 2010, when two Jehovah's Witnesses were jailed for 10 and 15 days. In April, another Jehovah's Witness was jailed in Tashkent and two Protestants in Termez. Three members of Tashkent's Protestant Church of Christ – Assistant Pastor Artur Avanesyan, Vyacheslav Dechkov and Bahodir Adambaev – were given 15-day administrative arrests on 18 May, in a trial which saw five other church members fined (see F18News 18 May 2010 http://www.forum18.org/Archive.php?article_id=1445).

Crackdown in Karakalpakstan

The two Protestants, who live in the town of Muynak [Muynoq] close to the Aral Sea, were detained and tried for their faith. One of the two, Lepes Omarov, has already faced pressure. A former school sports teacher, he was dismissed in 2003 after rejecting pressure by a local ideology official for him to renounce his beliefs as a Protestant. In 2006, prosecutors launched a criminal case against him on charges of violating the law on religion, but it never came to trial (see F18News 3 July 2006 http://www.forum18.org/Archive.php?article_id=807).

The latest short-term imprisonments come amid a renewed crackdown on Protestant activity in Karakalpakstan, where only state-registered Muslim communities and one Russian Orthodox parish are allowed to operate. All other religious activity in

Karakalpakstan is illegal, as – in defiance of its international human rights commitments – Uzbekistan bans all religious activity that does not have state permission.

Police raided many Protestant homes between May and early July, confiscating Christian books, DVDs and computers. Prosecutors brought more than a dozen cases but some of the cases were abandoned before they could be sent to court. One Protestant was summoned to the Prosecutor's Office in mid-June and pressured to sign a pledge not to keep Christian books in his home if he wanted to avoid criminal prosecution. Despite heavy pressure, the Protestant refused to sign and was eventually allowed to go.

The telephone of Nurula Jamolov, Karakalpakstan's senior religious affairs official, went unanswered each time Forum 18 rang between 12 and 14 July.

Concern over imprisonment threat

Protestants have expressed their concern over threats to prosecute Gennady Chen, a church leader in Yangibazar, a small town near Tashkent. In a 3 June written warning seen by Forum 18, Prosecutor O. Fuzailov of Yukorichirchik District of Tashkent Region told Chen that "monitoring" of him had revealed that "as the leader of an illegally functioning cell of Protestant tendency" he was breaking the law by holding religious services and sharing his faith.

Fuzailov warned Chen that such activity violated Article 240 of the Code of Administrative Offences (violation of the law on religious organisations), as well as three Criminal Code articles: Article 216 (illegal organisation of social or religious organisations), which carries a maximum five year prison term; Article 217 (violation of the procedure for organising and conducting meetings, street processions or demonstrations), which carries a maximum three year prison term; and Article 229-2 (violation of the procedure for teaching religious doctrines), which carries a maximum three year prison term. The letter threatened Chen with administrative or criminal prosecution for such violations of the Religion Law.

"The authorities have told Gennady that they will keep a close watch on him," one Protestant told Forum 18, "and at the first opportunity will launch a case against him."

The Protestant likened the Uzbek government's methods to those in the Soviet period. "The authorities told Gennady that if they give him a long prison sentence it won't be for religious activity – they understand that giving someone a three or four year sentence for religious activity will make a lot of noise."

The Protestant said they are likely to plant drugs on Chen – as they did with the young Baptist Tohar Haydarov, who received a ten-year sentence in March (see F18News 8 July 2010 http://www.forum18.org/Archive.php?article_id=1465) – or prosecute him for treason or for property offences.

Charges to follow raid on youth meeting?

Five police officers – including crime prevention officer Captain Husnuddin Mamatov - burst into a youth meeting held by a Pentecostal congregation in the town of Chirchik [Chirchiq] near Tashkent on 23 June, Protestants who asked not to be identified told Forum 18. Police questioned and filmed the more than 20 participants in the meeting. They also confiscated four copies of the Bible and a computer.

An investigation began over whether the group's leader, Stanislav Kim, should face charges under various Articles of the Code of Administrative Offences: Article 184-2 (illegal production, storage, import or distribution of religious materials), Article 201 (violation of the procedure for organising and conducting meetings, street processions or demonstrations), Article 202 (creating conditions for unapproved meetings, street processions and demonstrations), and Article 241 (violation of the procedure for teaching religious doctrines).

Forum 18 tried to reach Captain Mamatov on 13 July to find out why the meeting was raided, but the officer who answered his phone at the City Police told Forum 18 he was not there and put the phone down. In a subsequent call another officer said there was no-one by that name and put the phone down.

Church members – who insisted the raid was illegal – have lodged official complaints over the police action.

"Anti-Terror" operation targets religious book distributors

On 18 June, Judge D. Haliknazarova of Fergana [Farghona] City Criminal Court in eastern Uzbekistan found two Council of Churches Baptists guilty of violating Article 184-2 of the Code of Administrative Offences, according to the verdict seen by Forum 18. Vladimir Potekhin and Marina Avdeeva were each fined 113,040 Soms (437 Norwegian Kroner, 55 Euros or 70 US Dollars at the inflated official rate). The court also "considers it necessary" that the four Christian books confiscated from them be destroyed, the verdict records.

The verdict notes that the two were detained by police and the National Security Service secret police on 15 May during an "Anti-Terror" operation while they were "illegally" offering Christian books on the street "without appropriate documentation".

The 22 May "expert analysis" used in court, conducted by Fergana Pedagogical State University, claimed that the books were not authorised for distribution by the government's Religious Affairs Committee, "consist of information affecting the national integrity of the Republic of Uzbekistan" and contain material "not in accord with the principles of religious tolerance". "Such materials could be used for missionary activity," the verdict notes.

Church members complain that the use of an expert analysis by University staff is in defiance of a Cabinet of Ministers decree of April 2004, which declares that only the government's Religious Affairs Committee is authorised to conduct expert analyses of religious materials.

Despite this decree, such analyses of religious literature are frequently conducted by university staff (see F18News 18 May 2010 http://www.forum18.org/Archive.php?article_id=1445).

Forum 18 was unable to reach Judge Haliknazarova to find out why an apparently unauthorised analysis was used in court.

Potekhin was fined on the same charge in February 2009 (see F18News 27 February 2009 http://www.forum18.org/Archive.php?article_id=1262). However, considering himself guilty of no offence he refused to pay the fine.

Pastor fined

Following an 11 June check-up on all the activities and documentation of the registered Baptist Union congregation in Zarafshan in the central Navoi [Nawoiy] Region, initiated by Alijon Kakhramonov, head of the Department for Work with Social and Religious Organisations of the Regional Justice Department, the church's pastor Dmitry Butov has been fined.

The Justice Department claimed that he had violated the Religion Law because four church workers are not paid, no annual audit of the value of Christian literature in the church had been undertaken and the church had bought a metal fence in May 2009 but it had not been put up round the church building.

"This is all nonsense," one Protestant told Forum 18, pointing out that many church workers want to offer their service to the congregation without pay and the Christian literature the church owns is not of great audit value. The Protestant added that none of these issues are covered in the church's registered statute.

The case was sent to Zarafshan Court where, on 24 June, Judge Nodir Rajapov found Pastor Butov guilty of breaking Article 240 Part 1 of the Code of Administrative Offences. He was fined five times the minimum monthly wage, 188,400 Soms (728 Norwegian Kroner, 92 Euros or 117 US Dollars at the inflated official rate). The Judge refused to give him a copy of the verdict, Protestants complained to Forum 18, insisting that he should simply pay the fine. Butov is appealing against the fine and is lodging complaints over the Justice Department's claims to various state bodies.

Kakhramonov's telephone went unanswered each time Forum 18 called between 12 and 14 July.

Fine and further court-ordered religious book destruction

On 1 April, Judge H. Hojiev of Tashkent District Criminal Court found Council of Churches Baptist Oksana Usmanova guilty in her absence of violating Article 227-22 Part 1 of the Code of Administrative Offences (failure to declare or incomplete declaration of goods [imported into the country]). She was fined 188,400 Soms (728 Norwegian Kroner, 92 Euros or 117 US Dollars at the inflated official rate), according to the verdict seen by Forum 18. The Judge also ordered that 72 Christian books confiscated from her be destroyed, including 28 copies of a Russian-language book entitled "Steps to the Knowledge of God".

However, the first Usmanova knew of the court case was in June, when she was informed of the fine by the court executor. She has since lodged an appeal and complaints to various state agencies, Protestants told Forum 18.

Usmanova was among three Baptist women fined in June 2009 for distributing Christian literature (see F18News 7 July 2009 http://www.forum18.org/Archive.php?article_id=1322).

Illegal prosecution and fine

A member of a registered Baptist Union congregation in Angren in Tashkent Region has also been fined for "illegal" distribution of religious literature, Protestants told Forum 18. On 15 June, Judge M. Mirzaev of Angren Court found Jamilya Usmanova guilty of violating Article 184-2 of the Code of Administrative Offences and fined her 188,400 Soms (728 Norwegian Kroner, 92 Euros or 117 US Dollars at the inflated official rate). The court ordered the confiscation and destruction of three Christian books and eight

DVDs.

Church members complained to Forum 18 that her prosecution was illegal, as the events they relate to took place back in February 2008. They point out that Article 36 of the Code requires cases to be brought to trial within two months of an alleged administrative offence.

Church members also say that crime prevention officer Maksud Markaev fabricated the case using testimony from a female local resident who had twice been prosecuted under the Criminal Code and twice more under the Code of Administrative Offences for theft and hooliganism. The same Judge Mirzaev had halted the resident's criminal trial in January 2010 under amnesty, but exactly three weeks before Usmanova's trial had sentenced the resident and her daughter to conditional sentences for forging documents.

The resident is "directly dependent" on the police, Protestants maintained to Forum 18. "On their instruction she could write whatever they want against anyone and about anything."

Forum 18 was unable to reach Markaev at the police to find out why testimony from the resident had been used. It was also unable to reach Judge Mirzaev to find out why activity had been punished long after the legal deadline to bring cases had passed. (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