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UZBEKISTAN: April was the cruellest month

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

After a 5 April raid on his home by up to 10 police and secret police officers, Tashkent Protestant Anvar Rajapov was fined 80 times the minimum monthly wage for alleged proselytism, illegal religious meetings and illegal literature, Protestants told Forum 18 News Service. Judge Kholmurod Berdyklichev did not "even investigate the case but just signed the hastily and carelessly prepared decision", Protestants complained to Forum 18. The judge ordered that the religious books confiscated in the raid be destroyed, "except for those that can be allowed for internal use of religious communities". A member of Tashkent's registered Baptist church, Konstantin Malchikovskiy, faces up to two years' imprisonment if a criminal case now with prosecutors goes ahead. He is accused of failing to use a cash register to record sales and donations to the church. In late April the congregation itself was given a massive fine for this. Church property was raided twice in April.

April saw an upsurge in raids, literature confiscations and heavy fines – as well as court-ordered literature destruction – to punish Protestants in Uzbekistan's capital Tashkent, Forum 18 News Service has learned. In the wake of a 5 April raid on his home, Protestant Anvar Rajapov was heavily fined, while the judge ordered that the vast majority of the religious literature confiscated from him be destroyed. A registered Baptist church in Tashkent – twice raided in early April – had four members given massive fines. In late April the church itself was massively fined after tax authorities alleged it failed to use a cash register to record sales and donations. Officials told Forum 18 that one church member, Konstantin Malchikovskiy, now faces criminal prosecution with a maximum penalty of two years' imprisonment.

Uzbekistan's authorities keep all religious communities under very tight control and surveillance. In defiance of the country's international human rights obligations all unregistered religious activity is illegal. All religious literature is subject to compulsory prior state censorship.

Possibly fuelled by the authorities concerns about the impact of the Arab Spring uprisings for freedom, three Tashkent Muslim clerics who studied in Arab countries were dismissed from their posts in February and March (see F18News 15 April 2011 http://www.forum18.org/Archive.php?article_id=1563).

Court fine and literature destruction in victim's absence

Judge Kholmurod Berdyklichev of Tashkent's Yakkasaray District Criminal Court on 14 April found local Protestant Anvar Rajapov guilty in his absence of violating Administrative Code Articles 184-2, 201 Part 1, 202, 240 Part 2, and 241, according to the verdict seen by Forum 18.

Article 184-2 punishes "illegal storage, production, import, or distribution of religious materials". Article 201 Part 1 punishes "violation of the procedure for organising and conducting meetings, street processions or demonstrations". Article 202 punishes "creating the conditions for conducting unapproved meetings". Article 240 Part 2 punishes "attracting believers of one confession to another (proselytism) and other missionary activity", and Article 241 punishes "violation of the procedure for teaching religious doctrines".

Judge Berdyklichev fined Rajapov 80 times the minimum monthly wage, 3,978,800 Soms (12,880 Norwegian Kroner, 1,640 Euros, or 2,330 US Dollars at the inflated official exchange rate). With the same decision the judge ordered that religious literature and materials confiscated from Rajapov's home be destroyed, "except for those that can be allowed for internal use of religious communities".

Courts in Uzbekistan frequently order that religious literature – including Bibles - confiscated during raids be destroyed (see F18News 22 March 2011 http://www.forum18.org/Archive.php?article_id=1554).

Fine follows raid

The administrative case against Rajapov and fine followed a 5 April raid on his Tashkent home by up to ten police and National Security Service (NSS) secret police officers, Protestants told Forum 18. The raid was led by Police Major Sunnat Adylov and

Police Inspector Obid Muhammedov of Yakkasaray District. They were accompanied by Ulmas Shukurov, head of the Rakat mahalla (city district) committee. Local Protestants told Forum 18 that Shukurov had called for Rajapov to be harshly punished and expelled from the mahalla "because he had left Islam and accepted Christianity".

Mahalla committees, the lowest level of administration in Uzbekistan, are used by the authorities as a key instrument in their attempts to control society (see eg. F18News 1 December 2005 http://www.forum18.org/Archive.php?article_id=698).

During the raid, police confiscated about 250 religious books and recordings, including Bibles, as well as a computer and Rajapov's passport. One officer took photographs of Rajapov's children without his knowledge.

The books were then sent to the government's Religious Affairs Committee for an "expert analysis". Such alleged "expert analyses" are routinely used as an excuse to confiscate any book the authorities decide to confiscate. A very strict censorship regime is applied against religious literature and other material of all faiths (see F18News 19 April 2011 http://www.forum18.org/Archive.php?article_id=1564).

Yakkasaray Police officials refused to comment on the case on 12 May, adding that neither Major Adylov nor Inspector Muhammedov were available to talk to Forum 18.

"The whole case is fabricated"

Protestants who know Rajapov, who wished to remain unnamed for fear of state reprisals, complained to Forum 18 on 12 May that "the whole case is fabricated." They said that the authorities did not reveal any religious meetings in Rajapov's home during an earlier raid but "only authorised religious literature". They added that Rajapov does not conduct religious meetings or teach religion in his home. "There is no evidence" for the charges brought against Rajapov, and the Court "did not prove any of it", they told Forum 18.

The Protestants said that Judge Berdyklichev did not "even investigate the case but just signed the hastily and carelessly prepared decision". They pointed out – as verified by Forum 18 - that in one of the paragraphs, among many errors in the verdict, the defendant's name (Rajapov) is indicated as Ahmedov.

Officials of Yakkasaray Court on 12 May refused to comment on the case or put Forum 18 through to Judge Berdyklichev.

Attacked through the media

On 3 May, the independent Moscow-based website Centrasia.ru published an attack on Rajapov, written by someone who gave their name as Ikrom Umarov. The article accused Rajapov, described as "one of the well-known leaders of the proselytising group Iso Masih", of spreading "ideological opium". It praised the "vigilance of the local law-enforcement agencies" for catching him and claimed he "will have to answer before the law" (the author does not mention the trial that had already taken place). The information in the article was widely picked up by other Russian-language news agencies.

Although the article does not appear to have been originally published by a state-run media outlet in Uzbekistan, it is written in a similar tone to many previous such attacks. In March 2010, Anvar Rajapov and his brother Azamat were attacked in an article published by the government-sponsored Press-uz.info news agency. One month later, Azamat Rajapov was given a 15-day prison term (see F18News 29 April 2010 http://www.forum18.org/Archive.php?article_id=1438).

Church fined for lack of cash register

Meanwhile, Tashkent City's Hamza District Tax authorities on 28 April fined the officially registered Baptist Church 6,988,500 Soms (22,620 Norwegian Kroner, 2,880 Euros, or 4,090 US Dollars at the inflated official exchange rate) for alleged violations of Uzbekistan's Tax Code, Baptists who wished to remain unnamed for fear of state reprisals told Forum 18 on 12 May.

Officials claim the congregation violated Tax Code Article 119 Part 1, which punishes "Carrying out trade and rendering services without the use of cash registers with fiscal memory when their use is compulsory, as well as selling goods or providing services without giving a receipt".

The Hamza Tax Department sent the written decision on the fine to the Church. It warned the Church that if it failed to pay, a case against the Church would be brought to the Economic Court. The Baptists fear that their property could be confiscated if they do not pay the fine.

Church member faces criminal prosecution

On 22 April, six days prior to that decision, the Hamza Tax authorities also opened a criminal case against Konstantin Malchikovskiy, a member of the Baptist Church, local Baptists also told Forum 18. Madina Mirvaliyeva, Senior Investigator of

Hamza District Tax Department, opened the case under Criminal Code Article 189 Part 2 for "violation of regulations for trade or delivery of services". This carries a maximum penalty of two years' imprisonment.

The Baptists said that the Tax authorities brought charges against Malchikovsky because "he did not cash in 4,122,150 Soms [12,900 Norwegian Kroner, 1,700 Euros, or 2,400 US Dollars] collected from offerings and sales of books between 2003 and 2010".

Nadyr (he did not give his last name), the Assistant of Investigator Mirvaliyeva, told Forum 18 on 12 May that they have referred the case against Malchikovsky to Hamza District Prosecutor. He said that Investigator Ravshan Isabekov is now leading the case.

Asked whether it was necessary to open a criminal case against Malchikovsky, and whether Malchikovsky or the Church could not have been warned the first time and explained the regulations, Nadyr said that "the case is no longer in our hands". He did not want to answer whether this was not pressure on Malchikovsky and the Church by the authorities, and declined to talk further to Forum 18.

Hamza District Prosecutor's officials on 12 May refused to discuss the case or put Forum 18 through to Investigator Isabekov.

Earlier raid, massive confiscation and huge fines

April saw two major raids on the Hamza District Baptist Church. On 7 April Police led a 12-hour raid on the church, confiscating thousands of copies of Christian books, as well as money belonging personally to one church member. On 11 April NSS secret police and the ordinary police made a second 14-hour raid on a church-owned private flat nearby. This time tens of thousands of copies of Christian books were seized, together with printing equipment. Four church members – including Malchikovsky - were each fined between 50 and 100 times the minimum monthly wage (see F18News 19 April 2011 http://www.forum18.org/Archive.php?article_id=1564).

While Muslims, Protestant Christians and Jehovah's Witnesses are among the many religious communities to be regularly targeted by officials, Baptists have been particular targets in recent years. In 2010 the authorities forced a change in the leadership of Uzbekistan's Baptist Union, by imposing large fines on Baptist leaders and denying them the legal right to hold office (see F18News 22 February 2010 http://www.forum18.org/Archive.php?article_id=1411).

In a separate case in Tashkent in April, another Baptist Galina Shemetova – had been physically assaulted by police - was also fined 50 times the monthly minimum wage (see F18News 15 April 2011 http://www.forum18.org/Archive.php?article_id=1563). (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://education.nationalgeographic.com/education/mapping/outline-map/?map=Uzbekistan>.

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