

9 August 2016

UZBEKISTAN: Raids, prison, fines for home religious meetings

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

After police raided a religious meeting in a home in Bukhara Region, four Sufi Muslims were imprisoned for four years each for participating in an "illegal" religious group. Eleven more were fined. Protestants have been tortured and fined for "illegal" literature in homes.

Four members of a Sufi Muslim community were imprisoned for four years in Bukhara Region in June for religious meetings at home, as their community does not have state registration. Eleven more members were fined.

A Protestant in Urgench was fined in absentia in June, without being given a copy of the court verdict for weeks after the fine was handed down. The first he knew of the decision was when he was ordered to pay the fine. Police had tortured him after searching his home for religious literature (see below).

A Judge in Fergana fined a Protestant in June for having "illegal" religious literature in his home. He ordered eight Christian books to be confiscated. The Protestant had already spent sixteen days in prison to punish him for the same "offence". While in prison he was tortured. The Prosecutor's Office and Police dismissed all his complaints (see below).

Police in Navoi Region are seeking to have two Seventh-day Adventists punished for religious literature seized in a raid on the home of one of them. However, in July a court handed the case against the two back to Police for further investigation (see below).

Home religious meetings and literature "illegal"

Against its international human rights obligations, Uzbekistan bans all meetings for worship almost anywhere other than in state-registered communities and their registered premises. All Muslim communities must belong to the state-backed Muslim Board, a monopoly to which other faiths are not subject.

Uzbekistan also imposes strict censorship on all religious publications and all aspects of their distribution. There is a de facto ban on religious literature of any faith in homes and if found such literature is frequently ordered to be destroyed. State pressure is so great that for their own safety some religious believers have destroyed their own sacred texts (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

When Muslims violate these harsh restrictions they often face imprisonment. Non-Muslims generally face short-term imprisonment of up to 15 days or fines. In January, a group of 30 Jehovah's Witnesses were punished in Bukhara Region for meeting for worship and possessing religious literature officials claimed was "illegal". All were fined and two were also sentenced to ten days' imprisonment. A Baptist in Urgench has been threatened with three years' imprisonment for possessing religious literature (see F18News 28 June 2016 http://www.forum18.org/archive.php?article_id=2192).

Torture "routine", says UN

Torture, or threats of this, is "routine" in Uzbekistan the United Nations (UN) Committee Against Torture has found (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Four-year prison terms, fines for home religious meetings

On 1 June Karakul District Criminal Court in Bukhara Region handed down four-year prison terms to four leaders of a Sufi Naqshbandi Muslim community, Radio Free Europe's Uzbek Service told Forum 18 on 8 August, citing unnamed local people. Forum 18 has been unable to find out the names of the four.

The four Sufi leaders were convicted under Criminal Code Article 216. This punishes "Illegal establishment or reactivation of illegal public associations or religious organisations, as well as active participation in their activities" with a fine of 50 to 100 times the minimum monthly wage or imprisonment of up to five years.

The four leaders were among 15 Sufis arrested in Karakul District, 60 kms (35 miles) south-west of Bukhara close to the border with Turkmenistan. The arrests followed a police raid on a home where a community was performing the zikr, a devotional practice of reciting sacred phrases, Radio Free Europe noted.

The same court on 16 July fined eleven other members of the same community up to 4,000,000 Soms (11,000 Norwegian Kroner, 1,200 Euros or 1,300 US Dollars at the highly inflated official exchange rate) each for illegally meeting in homes under the same charges.

The authorities have previously been regarded as being more tolerant of Sufi Islam, apparently regarding it as a counterbalance to what they see as more dangerous forms of Islam.

The assistant (who refused to give his name) of Karakul District Court's Chair refused to comment on the imprisonments and fines handed down to the 15 Sufis. He also refused to put Forum 18 through to any other court official for comments.

When Forum 18 insisted and asked why Uzbekistan, which earlier celebrated the Sufi Naqshbandi order and took pride that it was home to the order, changed its attitude and began prosecuting members of the community, the official would only respond: "We cannot comment on it, you better ask Bukhara Regional [Criminal] Court. The case is with them."

Asked why Sufi believers are being prosecuted now, Ikrom Muslimov, Chair of Bukhara Regional Court, told Forum 18 on 8 August: "I do not know the details, the case has not reached me yet." He declined to talk to Forum 18 further, referring it to the Foreign Ministry. "Please, send your questions through the Foreign Ministry in writing," he said. He did not explain why the Foreign Ministry should be involved.

Fined in absentia

Elsewhere Urgench City Criminal Court in north-western Khorezm Region on 16 June fined Protestant Christian Jurabek Vapayev seven times the minimum monthly wage, 911,680 Soms, local Protestants who wished to remain unnamed for fear of state reprisals told Forum 18 on 4 July.

The hearing took place in Vapayev's absence and a copy of the decision was not immediately provided to him, the Protestants lamented to Forum 18. So as of early July, weeks after the court decision, he did not know what charges he had been punished under.

"He found out about the penalty only when Court officials handed him a piece of paper which indicated that, according to the Urgench Court decision, he must pay the mentioned sum to a branch of Halq [People's] Bank, without any other details," the Protestants added.

Vapayev is preparing to appeal against the punishment, the Protestants said. However, the Court needs to correct its failure to issue the written verdict. According to the provisions of Administrative Code Article 311, courts must provide a defendant with a copy of a decision within three days. Under Article 316 the defendant then has 10 days from receiving the decision to lodge an appeal. The refusal to issue a written decision could deprive Vapayev of the possibility to lodge an appeal.

Urgench City Court officials, including its Chancellery officials, (who declined to give their names) refused to talk to Forum 18 on 5 July.

Home raided, eight hours' questioning and torture

On the morning of 17 May local police Struggle with Extremism and Terrorism Department officers Major Shavkat Bekjanov, Major Shukhrat Masharipov, Captain Sherzod Masharipov, and Inspector Murod Atayev raided Vapayev's home in Urgench. "When the police found no religious literature they confiscated his personal notebooks with notes about his faith and quotes from the Bible as well as his mobile phone," Protestants complained to Forum 18.

The Police officers then took Vapayev to Urgench City Police Station, where they questioned him for eight hours. The Protestants complained that the officers "beat him there, did not give him food or water, refused to let him use the toilet, and demanded that he sign the statement against him prepared by the police." However, Vapayev refused to do so. He was released from the Police Station the same day.

Major Masharipov and Police Investigator Bekjanov often raid the homes of individuals in Khorezm, and harass and torture them for exercising their right to freedom of religion or belief. In May they also raided two Baptists and interrogated them for six hours (see F18News 28 June 2016 http://www.forum18.org/archive.php?article_id=2192).

Asked why Vapayev was raided and tortured, Captain Masharipov was unable to answer. "I only took part in the search of his home

because Major Masharipov asked us," he told Forum 18 on 5 July. "Ask the Major," he retorted when asked why they continued to interrogate Vapayev for eight hours when they did not find any religious materials in his home. He then put the phone down.

Despite Forum 18's repeated calls, Major Masharipov and Lieutenant Bekjanov did not answer their phones between 5 July and 8 August.

Punished twice for same "offence"

Meanwhile Judge Shukhrat Sotivoldiyev of Fergana City Criminal Court in eastern Fergana Region on 27 June found Latipzhon Mamajanov guilty in his absence of violating Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). The Judge fined him 20 times the minimum monthly wage or 2,604,800 Soms.

With the same decision, the Judge ordered the confiscation of eight Christian books Police had seized from Mamajanov.

"It's absurd," Mamajanov's fellow-believers, who wished to remain unnamed for fear of state reprisals, complained to Forum 18 on 1 August. "He had already been punished with sixteen days' imprisonment for the same event."

The same Judge Sotivoldiyev on 12 March had handed down a fifteen-day prison term to Mamajanov after Police raided his home and confiscated religious materials from him. However, Mamajanov was released from prison, where he was tortured, only after sixteen days (see F18News 13 April 2016 http://www.forum18.org/archive.php?article_id=2167).

Judge Sotivoldiyev refused to talk to Forum 18. Asked through his Secretary why Mamajanov was punished twice for the same alleged violation, he asked Forum 18: "Why should we know that?" The Secretary (who did not give her name) then put the phone down.

Prosecutor's Office and Police dismiss complaints

First Deputy Prosecutor of Fergana Region Sirojiddin Eshkuvatov, in a 29 June letter, rejected Mamajanov's complaint against Police violations during the March raid on his home, when he and his brother as well as a fellow-believer were detained. Prosecutor Eshkuvatov added in the same letter that, on 23 May, the Prosecutor's Office had rejected Mamajanov's demand to open a criminal case against the Police officers involved "in connection with the absence in their actions of elements of a crime".

Fergana Regional Prosecutor's Office officials (who would not give their names) on 8 August refused to put Forum 18 through to Prosecutor Eshkuvatov or to discuss Mamajanov's complaint.

In a 7 May letter signed by Otabek Satimboyev, Chief of the Personnel Section, Fergana Regional Police Department also rejected Mamajanov's complaint. Satimboyev claimed that his "complaint was thoroughly studied, and the facts indicated in it could not be corroborated".

Officials of the Personnel Section on 8 August refused to put Forum 18 through to Satimboyev or discuss the case with Forum 18.

Raid, religious literature seized, prosecution to follow?

In western Navoi Region, Novbahor District Police on 17 July handed an administrative case against two local Seventh-day Adventists to Navoi City Criminal Court. The two - Sergei Alekseyev and Saidat Abdurakhimova - were accused of violating Administrative Code Article 184-2. However, the Court referred it back to the Police for further investigation, local believers who wished to remain unnamed for fear of state reprisals, told Forum 18 on 2 August.

Early in the evening of 29 May, Captain Alisher Atayev, Navoi Region's Novbahor District police Struggle with Extremism and Terrorism Department officer, led a raid on Alekseyev's home, local believers complained to Forum 18. Captain Atayev was accompanied by the local Police Officer Nodir Bazarov as well as Alisher (last name not given), Chair of the mahalla committee (local residential administration). The officials "made an unauthorised search in the flat and seized his Christian books".

Captain Atayev then opened an administrative case against Alekseyev and Abdurakhimova. Both are members of a state-registered Adventist congregation.

Officer Atayev confirmed the raid to Forum 18 on 8 August, but said he could not say over the phone why Police raided Alekseyev's flat and why they did so without a search warrant. "You need to come to our Police Station if you want to find out why," was his response. He then declined to talk further to Forum 18. (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=1862.

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 is at http://www.forum18.org/Archive.php?article_id=1351.

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY