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UZBEKISTAN: Religious literature fines and confiscations continue

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

A car has been confiscated from a Protestant because he did not pay illegal fines for giving religious books away. The books were approved by the Religious Affairs Committee, which apparently changed its mind so as to fine the Pastor. Raids and fines continue.

Bailiffs in Uzbekistan's capital Tashkent in January confiscated a car from Seventh-day Adventist pastor Andrei Ten because he did not pay an August 2016 fine for giving religious books away. The books had originally been approved by the Religious Affairs Committee, which then apparently changed its mind so as to fine the Pastor. He was denied the chance to appeal against the fine, and an extra fine was imposed for not paying the first fine. The confiscated could be worth more than three times the value of the fines (see below).

In Nukus, police are pressuring a local Protestant to sign a record officers want to dictate admitting to the "offence" of having religious literature in his home (see below).

A total of 19 Jehovah's Witnesses across Uzbekistan are known to have been fined between August 2016 and January 2017 for possessing religious literature and other materials. In the same period, customs officers have confiscated religious books and electronic devices containing religious material from 17 Jehovah's Witnesses arriving in the country (see below).

Severe state censorship

Uzbekistan enforces strict censorship of all religious publications and all aspects of their distribution. The authorities also impose a de facto ban on religious literature of any belief in homes or in public places. 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. The so-called "expert analyses" used to justify such freedom of religion and belief violations are often flawed, or even violate published law. The resulting court trials also often violate the rule of law (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/Archive.php?article_id=1862).

The harshest punishments for the possession of banned religious literature, including on electronic devices, are normally imposed on Muslims. For example, in late 2016 courts imprisoned two more foreign citizens – for five years and three years - for having Islamic sermons on their mobiles as they entered Uzbekistan. One was tortured. Three Tashkent Muslims were given suspended prison sentences, after the father of one was "severely tortured" (see F18News 19 December 2016 http://www.forum18.org/archive.php?article_id=2241).

Car confiscated for unpaid illegal fines

In August 2016 police and National Security Service (NSS) secret police arrested four men riding in a taxi in Uzbekistan's capital Tashkent. They then confiscated copies of a religious book which the Religious Affairs Committee had in writing stated that, after "expert analysis", was allowed to be imported and distributed in Uzbekistan.

One of the men, Pastor Andrei Ten of the registered Seventh-day Adventist Church, was summoned to a police station and asked to write a statement that he gave out copies of the book. He was only then shown a second "expert analysis" in which the Religious Affairs Committee contradicted itself banning the book. Pastor Ten was on 19 August fined 100 times the minimum monthly wage, the other three men being each fined five times the minimum monthly wage (see F18News, 4 October 2016 http://www.forum18.org/archive.php?article_id=2221).

Denied chance to appeal

Pastor Ten has not been given a copy of the 19 August 2016 decision fining him, so denying him a chance to appeal. Neither his 25 August complaint to Olmazor District Court and 28 December cassation appeal to Tashkent City Court were answered, Adventists who wish to remain anonymous for fear of state reprisals told Forum 18 on 1 February.

Instead Judge Musa Yusupov sent the decision, which had not entered into force, for execution to bailiffs.

Asked why the Judge did this, Aziz Rakhimov, Judge Yusupov's Assistant, on 9 February 2017 claimed that: "I myself gave a copy to Ten three days after the decision". He then declined to discuss the case further.

On 18 January Ten received two letters. The first was a decision to exact the administrative fine imposed in August 2016. The second was a new 19 December 2016 decision imposing an extra fine of 10 times the minimum monthly wage, or 1,497,750 Soms, for failure to pay the first fine. The second fine was signed by Bailiff Imamjan Tuychiyev under the Code of Administrative Offences' Article 198-1 ("Failure by a debtor to obey executive orders").

On 19 January Bailiff Tuychiyev with five colleagues broke into the grounds of Ten's home. They waited for Ten, and when he returned home at 8 pm illegally confiscated his car. "Pastor Ten doesn't know where they took the car," Adventists stated.

Bailiff Tuychiyev claimed to Forum 18 on 8 February that "we did everything according to the law". Told that Ten was not given a copy of the original court decision and so could not pay the first fine, and that his complaint and cassation appeals were ignored, Tuychiyev replied: "That's not our problem. You need to ask the court which ordered us to exact the fine."

Told that the market value of Ten's car could be up 30 million Soms, several times the level of the fine, Bailiff Tuychiyev answered: "I am not a market specialist. When he pays the total sum of the fine he can get it back."

Pressure to admit to "offence"

Nine police officers, only one of whom was in uniform, broke into Bakhbergen Abdikarimov's flat in Nukus in the afternoon of 27 November 2016. The police did not have a search warrant, so both their breaking into his home and subsequent search were illegal. Police confiscated one Christian book, three CD and DVD discs - one of which contained a video of Abdikarimov's wedding - and one memory chip, local Protestants who wish to remain unnamed for fear of state reprisals told Forum 18 on 2 February.

Police then took Abdikarimov to Nukus Police Station and questioned him for three hours. The unnamed officers demanded that he write a statement they would dictate, in which he would claim to be illegally storing Christian books in his home. Abdikarimov refused to do this and the police then released him.

Since then Nukus Police have been "constantly making phone calls to summoning him to Nukus Police Station", Protestants stated. The police are still trying to force Abdikarimov to sign a police report incriminating himself for allegedly 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").

Major Isak Soliyev of Nukus Police's Criminal Investigation Division refused to discuss the case on 9 February. He asked Forum 18 to call back in one hour, and when called claimed: "We don't know you, and we cannot talk to you over the phone".

Fines follow literature, electronic device seizures

Police raided and searched homes of 43 Jehovah's Witnesses across Uzbekistan for religious literature between August 2016 and January 2017, Jehovah's Witnesses told Forum 18. This resulted in the confiscation of 43 publications and electronic devices and 19 Jehovah's Witnesses being fined. A recent example took place in Jizakh Region. Judge Sherzod Peshmirzayev of Jizakh City Criminal Court fined 23-year old Muborak Abdurakhmanova on 22 December 2016 for reading Jehovah's Witness literature. The Judge fined her 20 times the minimum monthly wage or 2,995,500 Soms under Administrative Code Article 184-2, the Court's Chancellery told Forum 18 on 9 February.

Jizakh Regional Administration's official website on 27 January published an article titled "Regret of a woman of thoughtless actions." It instructs readers that "one must not act based on one's impulses but on science and a world view", before adding that: "Wilfulness and thoughtless actions can bring any person like Abdurakhmanova into the court room." The article claims that Abdurakhmanova admitted in Court that she "became interested in Jehovah's Witnesses, and recorded on her mobile phone video-films made by the followers of this sect. She also made notes in her notebook on various religious topics."

Abdurakhmanova "studied the Bible, listened to sermons by Jehovah's Witnesses and sang religious songs for one year", the article said. She "illegally kept" the religious materials in her phone until 18 November 2016, when police confiscated it from her.

A Jizakh Criminal Court Chancellery official (who would not give his name) refused to discuss the case with Forum 18. Calls to Judge Peshmirzayev went unanswered on 9 February.

Uzbekistan frequently raids, arrests, fines, and jails people exercising freedom of religion and belief who possess religious literature. For example, two Protestant five-day prisoners of conscience were ordered in November 2016 to pay 15 per cent each of a month's minimum salary as "compensation" for state prison costs (see F18News 1 December 2016)

http://forum18.org/archive.php?article_id=2235).

Customs seize religious literature

Between August 2016 and January 2017, Uzbek customs officers confiscated religious literature and electronic devices from 17 Jehovah's Witnesses entering the country. Jehovah's Witnesses complained to Forum 18 on 8 February that "in 2006 the Religious Affairs Committee forbade the import of any Jehovah's Witness publications after a shipment of Bibles were confiscated by customs officers (see F18News 24 October 2007 http://www.forum18.org/archive.php?article_id=1039).

Asked why the Religious Affairs Committee bans the import of such religious texts, and why customs officers keep confiscating religious literature from people, Begzod Kadyrov, Committee Chief Expert, replied: "Come to our office". He then put the phone down. (END)

For a personal commentary by a Muslim scholar, advocating freedom of religion and belief 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