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UZBEKISTAN: Massive fine increases introduced

By Igor Rotar, Forum 18

Fines for unregistered and hence illegal religious activity have been massively increased, from 5 to 10 times the minimum wage to 50 to 100 times the minimum wage, Forum 18 News Service has found. Uzbekistan bans all unregistered religious activity and places obstacles in the way of registration attempts, against the international human rights standards the country has freely agreed to. The steep rise in fines was introduced by changes to the Criminal and Administrative Codes brought in last month. So far, religious communities have not experienced any increase in fines but, after the launch of an intense campaign of inspections of religious activity in the capital Tashkent, religious minorities are worried. "Here in Uzbekistan, inspections of activity never happen just like that – generally their aim is to close down churches," a Baptist leader told Forum 18. "We are praying that the current inspections will not result in church closures."

Religious minority leaders in the Uzbek capital Tashkent have expressed concern about the massive increases in fines that can now be imposed under the Criminal and Administrative Codes for any unregistered religious activity and the check-ups now underway in Tashkent on all aspects of the activity of religious communities, both registered and unregistered. So far, no religious community appears to have been closed down as a result of the inspections. "The amendments to the Administrative Code and the inspections of religious organisations' activities in Tashkent demonstrate that the state has stepped up its policy against believers," Iskander Najafov, a lawyer for the Tashkent Full Gospel Church, told Forum 18 News Service on 26 January.

In defiance of its international human rights commitments, Uzbekistan already bans unregistered religious activity and punishes leadership of or participation in it under the Administrative Code or, for repeat offences, under the Criminal Code. Penalties for violating the government's strict controls on religious activity have progressively increased over the past decade, with the biggest change in 1998 when unregistered religious activity was criminalised.

Andrei Shirobokov, of the Jehovah's Witnesses in Uzbekistan, echoed the Full Gospel Church's concern about the latest measures. "We are naturally worried about the amendments to the Administrative Code and the inspections of the activities of religious organisations that have just got under way," he told Forum 18 from Tashkent on 26 January. "But so far at least we haven't felt any change for the worse." The Jehovah's Witnesses have for years been denied the possibility to register any communities in Tashkent under various pretexts.

A Tashkent Baptist leader said their churches too have not yet suffered harsh consequences, but they remain wary. "Here in Uzbekistan, inspections of activity never happen just like that – generally their aim is to close down churches," the Baptist, who preferred not to be named, told Forum 18. "We are praying that the current inspections will not result in church closures."

The inspections of places of worship – which so far do not appear to have begun on mosques – were launched in the wake of a 16 December 2005 meeting of officials from the President's office, the Tashkent hokimyat (city administration) and the government's Religious Affairs Committee. Participants at the meeting approved a range of measures - set out in minutes approved the following day by the Deputy Head of Tashkent's administration, Anvar Ahmedov - including a full inspection of all religious establishments in the city by a wide range of official agencies (see F18News 11 January 2006 http://www.forum18.org/Archive.php?article_id=714).

According to the minutes of the meeting, of which Forum 18 has received a copy, officials were highly concerned that "several religious organisations which have been registered with the justice administration do not have the right to own land. Cases have occurred where buildings have been restored or built by religious organisations without any documentation. In spite of measures taken, there are still instances to be found of illegal religious publishing, video and audio-tape sales, and CD production. Additionally, cases have been recorded in which unregistered religious organisations have conducted ceremonies and missionary activities, which demonstrate a weakening of the control exerted by representatives of state establishments."

Those at the meeting resolved to combat this by setting up inspection groups to carry out checks on religious establishments in each city sector. The officials also said that the heads of Mahalla Committees (the lowest level of authority) should inform higher authorities about any activity undertaken by religious organisations. Additionally, officials ordered local police officers to monitor the work of religious establishments in their division.

While the various agencies were given a month to carry out the inspections and to report back, Protestant sources told Forum 18 that inspections on their churches began on 2 January, with officials of eight different government agencies swooping on individual churches "for a full verification with the aim of uncovering unregistered and troublesome churches".

But it remains unclear how officials will deal with what they might regard as irregularities they find. "It's true that I have been told to present documents confirming the right of Tashkent's Orthodox churches to ownership of their land," Archpriest Nikolai Rybchinsky, press officer of the Russian Orthodox Church's Central Asian diocese based in Tashkent, told Forum 18 on 26 January. "Unfortunately, I cannot produce these documents in all cases. But I hope we will manage to reach an understanding with the Uzbek authorities, as we always do."

For the Hare Krishna community at least, official demands in the wake of the inspection of their Tashkent temple were modest. "Officials from the city administration came for their inspection but there were no complications," Vadim Kostritsin, head of the Society for Krishna Consciousness in Uzbekistan, told Forum 18 from Tashkent. "We were simply asked to buy a fire extinguisher in case of fire, which we have done."

Reached by Forum 18 on 26 January, Catholic and Jewish leaders in Tashkent expressed confidence that inspections of their places of worship would go smoothly.

Muslims – who remain under tight government control already – do not appear to have seen any changes in the wake of the new moves. "So far at least, there have been no inspections of activities at Tashkent's mosques, so I cannot talk of any changes in state policy towards Muslims," Muhamad Sadyk Muhamad Yusuf, the former mufti of Uzbekistan, told Forum 18 on 26 January. His opinion is generally considered to be reliable, and no other Muslim cleric in Uzbekistan has been prepared to criticise the authorities openly.

Meanwhile the changes to the Criminal and the Administrative Codes - approved by the Legislative Chamber (the lower house) of the Oliy Majlis (parliament) on 22 November 2005, and by the Senate (the upper house) on 3 December and signed into law by President Islam Karimov on 28 December - came into force on 30 December on their official publication in the government media. (The amendments were published in the Russian-language newspaper Narodnoe Slovo on 30 December and are available at <http://narodnoeslovo.uz/cgi-bin/index.cgi?a=rules&c=show&id=15>).

Among the Criminal Code amendments are sharply increased fines under Article 217 part 2 for repeat offences of violating regulations governing religious meetings, processions and other religious ceremonies. Fines of between 50 and 75 times the minimum monthly wage have been increased to between 200 and 300 times. The minimum monthly wage is currently 9,500 Soms (55 Norwegian Kroner, 7 Euros, or 8 US Dollars).

Among the Administrative Code amendments are sharply increased fines for violating Article 201 (breaking the law on how an organisation should operate and on holding public rallies, street marches and demonstrations), Article 202 (creating conditions for holding public rallies, street marches and demonstrations) and Article 240 (breaking the law on religious organisations). Fines imposed for violating Article 240 have been raised from between 5 and 10 times the minimum monthly wage to between 50 and 100 times.

Uzbekistan's Religion Law forbids the activity of unregistered religious organisations, and many religious communities have arbitrarily been denied registration or are too small to muster the 100 adult citizen members required (in theory) to register. So these Administrative Code amendments increase the extent of punishment officials can impose on the many unregistered religious communities which try to carry on their worship, despite official obstruction. (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all faiths 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=546

For an outline of what is known about Akramia and the Andijan uprising see F18News 16 June 2005 http://www.forum18.org/Archive.php?article_id=586

A printer-friendly map of Uzbekistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>

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