FORUM 18 NEWS SERVICE, Oslo, Norway
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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

29 June 2006

UZBEKISTAN: Religious literature censorship tightened

By Igor Rotar, Forum 18

Uzbekistan has introduced new penalties for the "illegal" production, storage, import and distribution of all forms of religious literature. One Protestant told Forum 18 News Service that "all religious communities already need permission from the government's Religious Affairs Committee for each publication or import." Some Muslims stressed to Forum 18 that the changes merely gave a "legal" basis to what was already going on, one Muslim noting – as the authorities confirmed to Forum 18 – that since the crushing of the Andijan uprising, all imports of Muslim literature have halted. The chair of the state Religious Affairs Committee, Shoazim Minovarov, told Forum 18 that the "illegal" production and distribution of religious literature are "home-produced materials. In any state a publisher must receive a licence to conduct publishing activity and pay taxes." The changes are the latest in a series cracking down on activities the government does not totally control.

Religious believers in Uzbekistan have reacted with resignation to new changes to the Criminal Code and the Code of Administrative Offences which came into force on 23 June instituting new penalties for the "illegal" production, storage, import and distribution of all forms of religious literature. "This is nothing new – we've always had problems with literature," one Protestant who preferred not to be identified told Forum 18 News Service on 27 June. "All religious communities already need permission from the government's Religious Affairs Committee for each publication or import. Publication within Uzbekistan is impossible for us and imports have long been very difficult."

Muslim sources expressed deep concern to Forum 18 over these changes to the Criminal and Administrative Codes, though some stressed that the changes to the Administrative Code merely gave a "legal" basis to what was already going on in practice. One Muslim who did not wish to be identified told Forum 18 that, since the crushing of the Andijan uprising in May 2005, the authorities have halted entirely the import of Muslim literature into Uzbekistan.

Jehovah's Witness representative Sergei Artyushkov said it was difficult to say how dangerous the amendments will turn out to be for his fellow-believers. "What is more important in Uzbekistan is not the law but the practice," he told Forum 18 from the capital Tashkent on 28 June. "Time will be needed to see how the law enforcement agencies intend to apply these amendments to the Criminal and Administrative Codes."

A new article of the Administrative Code, Article 184-2, punishes "illegal production, storage, import or distribution of materials of religious content", with punishment of a fine of 20 to 100 times the minimum monthly wage for individuals, while officials (presumably of religious organisations) guilty of the same offence can be punished with a fine of 50 to 150 times the minimum monthly wage, together with confiscation of the materials and the "corresponding means of producing and distributing them".

A Protestant lawyer, who preferred not to be named, believes that the new article 184-2 of the Administrative Code could be deployed quite widely. "Selling or giving away religious literature could be interpreted as unlawful distribution," the lawyer told Forum 18. "If two or more copies of any one book - such as the Bible - are found, that could be designated as â€˜harbouring documents with a religious content with the intention of distributing themâ€™."

A new article of the Criminal Code, Article 244-3, punishes "illegal production, storage, import or distribution of materials of religious content", with punishment for those already convicted under the parallel article of the Administrative Code of a fine of 100 to 200 times the minimum monthly wage or "corrective labour" of up to three years.

Also among the changes was a new article of the Criminal Code, Article 156, punishing the production and distribution of literature promoting racial and religious hatred, with a similar new article, Article 184-3, of the Administrative Code. Both of these build on punishments that already existed for literature promoting hatred and religious extremism.

The Protestant lawyer also expressed concern about the new Article 184-3 in the Administrative Code. "This article could be used against anyone found to be in possession of missionary literature," the lawyer argued. "But only evangelical Christians will be prosecuted under this article."

The chair of the government's Religious Affairs Committee, Shoazim Minovarov, explained what the authorities define as "illegal"

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production and distribution of religious literature. "We are talking here about home-produced materials," he told Forum 18 from Tashkent on 29 June. "In any state a publisher must receive a licence to conduct publishing activity and pay taxes."

Minovarov insisted that individuals are allowed to import any religious literature into Uzbekistan for personal use. "As for imports of religious literature for mass distribution, a religious community must first of all receive permission from our committee. If this literature has already arrived in Uzbekistan, we immediately give permission for its entry. If not, then first we conduct an expert analysis to check that the literature doesn't contain calls to ethnic or inter-religious hatred."

Minovarov implicitly confirmed that the import of Muslim literature from abroad has come to a halt. "We produce sufficient quantities of Muslim literature ourselves," he maintained. "In those rarest of occasions when a Muslim educational establishment suddenly needs to receive religious literature, it contacts us and – if this literature contains no calls to inter-ethnic or inter-religious hatred – we give permission for its import."

The changes to the Criminal and Administrative Codes were approved by the Legislative Chamber on 20 April and the Senate on 9 June and were signed into law by President Islam Karimov on 22 June. They came into force on their publication in the state-run media on 23 June (the amendments were published in the Russian-language newspaper Narodnoe Slovo and are available at http://narodnoeslovo.uz/cgi-bin/index.cgi?a=rules&c=show&id=34).

An official of the Justice Ministry named Shukhrat, who refused to give his surname, told Forum 18 on 28 June that his ministry had not been involved in preparing these amendments, which were the work of the Uzbek general prosecutor's office. However, no-one at the general prosecutor's office was prepared to explain why these amendments have been adopted and why they are needed. An official who answered the telephone there on 28 June told Forum 18 that such information is not given out.

The legal changes are the latest in a series cracking down on activities the government does not totally control, including religious belief and practice. Massively increased fines for unregistered religious activity came into force at the end of 2005 with changes to the Administrative and Criminal Codes (see F18News 27 January 2006 http://www.forum18.org/Archive.php?article_id=720). Against international human rights standards, unregistered religious activity is illegal.

The state-controlled Muslim Board is able to publish some books and newspapers, while the independent Muslim and former chief mufti Muhamad Sadyk Muhamad Yusuf is able to publish Muslim books. The Russian Orthodox Church is able to publish a newspaper Word of Life and a journal (both in Russian) and maintains a website http://www.pravoslavie.uz. The Catholic Church in the capital Tashkent also maintains an internet information resource and news agency http://www.agnuz.info. Various Christian Churches have set up a Bible Society in Tashkent, which can produce limited supplies of Christian books provided it receive Religious Affairs Committee approval for each edition.

Other religious minorities are almost entirely banned from producing religious literature within Uzbekistan, especially in Uzbek (although it is the state language). "Official publication of Christian literature in the country is practically impossible, though the need and the demand are great," one Protestant with wide contacts across the country told Forum 18.

The Jehovah's Witnesses complain that they are completely unable to print or import their religious literature in Uzbek, while the Religious Affairs Committee strictly limits the quantity of Russian-language literature they can import to their two registered congregations. Imports to their many unregistered communities are not allowed. One Jehovah's Witness told Forum 18 on 27 June that the committee allows shipments about five or six times a year, usually of several hundred copies of a Russian-language publication. "On 4 May we received permission for 500 Bibles and 500 books "What does the Bible really teach?" both in Russian, and at the beginning of June the same."

The Jehovah's Witness said the number of copies of literature is hardly sufficient for the local Jehovah's Witnesses. "So they don't really have the possibility to distribute them. Even now, just the possession of those books or brochures is viewed by some police officers, judges and other officials as illegal and can be the reason for starting administrative cases."

The Jehovah's Witness added that private import of religious literature by individuals is almost impossible. "It is so usual for literature to be confiscated. If borderguards find it they confiscate it. If an individual Witness manages to bring in one copy of the Bible or a copy of the Watchtower magazine, he or she is happy. We would love to be able to import our literature, including for Uzbek-speaking people."

Publication and imports of religious literature have been under tight control since the late 1990s. Article 19 of the 1998 Religion Law bans "manufacture, storage and distribution of printed items, films, photographs, audio and video recordings and other materials containing ideas of religious extremism, separatism and fundamentalism". Article 241-1 of the Criminal Code makes "harbouring and distributing" such documents punishable by up to three years in jail. The definition of whether material falls into these categories is carried out by the state's Religious Affairs Committee or - in provincial areas - by teachers at local university philosophy departments. Mainstream Islamic theological tracts are often deemed to be extremist (see F18News 12 July 2004 http://www.forum18.org/Archive.php?article_id=361).

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The Religious Affairs Committee also controls the import of such material. Material, including the Bible, imported without permission or confiscated by the authorities - from Muslims, Christians, Hare Krishna devotees or Jehovah's Witnesses - has often been burnt (see F18News 6 September 2005 http://www.forum18.org/Archive.php?article_id=643).

Postal censorship is strictly enforced, in close collaboration with the Religious Affairs Committee. Sometimes, material is sent back to the foreign sender, with a letter specifying why it has been refused and instructing the sender not to post more copies to Uzbekistan (see F18News 14 November 2005 http://www.forum18.org/Archive.php?article_id=687).

"Believers across the country would like to be able to receive Christian journals by post, but in recent months most religious literature has stopped arriving by post," the Protestant with wide contacts across the country told Forum 18. (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=777.

For an analysis of whether the May 2005 Andijan events changed state religious policy in the year following, see http://www.forum18.org/Archive.php?article_id=778. For an outline of what is known about Akramia itself, see http://www.forum18.org/Archive.php?article_id=586, and for a May 2005 analysis of what happened in Andijan http://www.forum18.org/Archive.php?article_id=567.

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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