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UZBEKISTAN: Imminent verdict for Protestant pastor

By Felix Corley, Forum 18

Protestant pastor Dmitry Shestakov is due to be sentenced tomorrow (1 March), despite trial proceedings today (28 February) breaking Uzbekistan's own law, Forum 18 News Service has learnt. Shestakov has been charged under three articles of the Criminal Code and faces a possible maximum sentence of up to 20 years in jail for his religious activity. Under Uzbek law, the trial proceedings should not have taken place today as Pastor Shestakov's own lawyer was ill. A lawyer appointed by the court reportedly did nothing to defend Shestakov. His friends have insisted to Forum 18 that an expert analysis of his sermons – recordings of which were confiscated during a search of his home – was illegal as it was conducted by a professor from Andijan University, not the state Religious Affairs Committee. There are also claims that the Prosecutor's Office forged documents to incriminate Shestakov.

Protestant pastor Dmitry Shestakov – on trial in the Fergana Valley city of Andijan [Andijon] for his religious activity - is due to be sentenced tomorrow (1 March), sources have told Forum 18 News Service. Shestakov has been charged under three articles of the Criminal Code: Article 216 ("illegal organisation of social or religious organisations", which carries a maximum five year prison term), Article 156, part 2 ("inciting ethnic, racial or religious hatred", which carries a prison term of between five and ten years) and Article 244-1, part 2 ("distributing materials containing ideas of religious extremism", which carries a maximum five year prison term).

Normally in cases with multiple charges, judges impose concurrent sentences, so those found guilty serve the longest of the prison terms handed down, although judges do have the right to order the prison terms to be served consecutively. This means that there is a possibility that Pastor Shestakov could be sentenced to as much as 20 years in jail.

Pastor Shestakov's trial began in Andijan on 19 February, but several subsequent hearings were delayed because his own lawyer was ill. Despite a medical certificate from Shestakov's lawyer that he was ill - which under Uzbek law should have led to the postponement of the hearing - a trial session was held today (28 February) with a state-appointed lawyer. This lawyer reportedly did nothing to defend Shestakov.

In the run up to the trial, Uzbek state-run media have been trying to smear Shestakov and his Full Gospel church claiming, for example, that "he abused alcohol and was dependent on drugs and now he presents himself as pastor David." Official harassment of him began in May 2006, apparently in reaction to the conversion to Christianity of some ethnic Uzbeks (see F18News 14 February 2007 http://www.forum18.org/Archive.php?article_id=911).

Shestakov's friends insist that an expert analysis of his sermons – recordings of which were confiscated during a search of his home in June 2006 – was illegal as it was conducted by a professor from Andijan University. Only the government's Religious Affairs Committee is under Uzbek law authorised to conduct such analyses. There are also claims that the Prosecutor's Office forged documents to incriminate Shestakov.

Meanwhile, Protestant sources have told Forum 18 that police came today (28 February) to the homes of two Pentecostals on trial for their religious activity in Nukus, the capital of the Karakalpakstan [Qoraqalpoghiston] autonomous republic in north-western Uzbekistan. Police came to the home of Makset Djabbabergenov in Nukus and also to the home of Salavat Serikbayev in the town of Muynak north of Nukus near the Aral Sea, but neither was at home. Their trial began in Nukus on 26 February – as did the trial of three other local Protestants who face lesser charges under the Code of Administrative Offences – but none of the defendants attended. The trial is set to resume on 5 March (see F18News 22 February 2007 http://www.forum18.org/Archive.php?article_id=918). (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.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at

http://www.forum18.org/Archive.php?article_id=815.

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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