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UZBEKISTAN: Jehovah's Witness beaten, tried and sentenced to labour camp

By Felix Corley, Forum 18

Samarkand City Court sentenced Jehovah's Witness Irfon Khamidov on 14 May to two years in a labour camp on charges of "illegally" teaching his faith in a trial Jehovah's Witnesses say was marred by "procedural violations". "Two of the 'witnesses' summoned to testify against Khamidov actually acknowledged that they had never seen him before," Jehovah's Witnesses complained to Forum 18 News Service. They added that Khamidov was beaten in pre-trial detention. His appeal is due to be heard on 19 June. Officials declined to discuss his case with Forum 18, though a Samarkand Internal Affairs official claimed to Forum 18 (wrongly) that religious believers are able to meet for worship in private homes. In another of the criminal cases launched this year against Jehovah's Witnesses, Ramil Gareev has been found guilty in Karshi of "illegal" religious activity, but Russian news agency Interfax reports that he was immediately amnestied. Of the several dozen Jehovah's Witness communities in Uzbekistan, the government allows only one to operate legally.

Jehovah's Witness Irfon Khamidov was sentenced on 14 May in the central city of Samarkand [Samarqand] to two years in a labour camp on charges of "illegally" teaching his faith to others, Jehovah's Witnesses told Forum 18 News Service. They complained that his trial was riddled with "procedural violations" and say he was severely beaten while in custody. Khamidov rejects the verdict and has already lodged an appeal, which is due to be heard on 19 June. This is one of several current criminal cases against Jehovah's Witnesses, who have been banned from meeting for worship except in the only community they have been allowed to register in the whole of Uzbekistan.

The cases against Jehovah's Witnesses also coincide with a new crackdown on Protestant Christians. At a second trial on 22 May, imprisoned Pentecostal pastor Dmitry Shestakov had the conditions of his four year sentence made harsher: he must serve the remainder in a closed labour camp rather than in an open work camp (see F18News 12 June 2007 http://www.forum18.org/Archive.php?article_id=973). Moves against other Protestant churches continue elsewhere in Uzbekistan (see F18News 19 June 2007 http://www.forum18.org/Archive.php?article_id=976).

Officials have refused to comment to Forum 18 about why Khamidov has been sentenced for practicing his faith peacefully. Begzot Kadyrov, a specialist at the government's Religious Affairs Committee in the capital Tashkent, declined to answer any of Forum 18's questions. "You must put your questions in writing or come along in person," he told Forum 18 on 13 June. "We don't answer questions by telephone."

Erkin Zubadullaev, identified by the office of the deputy Hokim (administration chief) of Samarkand Regional Hokimat (administration) as responsible for religious affairs, insisted to Forum 18 on 13 June that he knew nothing about Khamidov's case and that it was the responsibility of the law-enforcement agencies. "I don't deal with religious issues," he declared.

Forum 18 also sought comments about the sentence and pressure on local Jehovah's Witnesses and members of other religious minorities from the Samarkand Regional Internal Affairs Administration. "You don't understand our system," an official, who refused to give his name, told Forum 18 on 13 June. "We don't intervene in religious events – people can pray in mosques and Orthodox churches." He even claimed – wrongly – that religious believers can meet in private homes. He said he knew nothing about the case against Khamidov, referring Forum 18 to the City Court.

An official of Samarkand City Court told Forum 18 on 13 June that it was a wrong number and put the phone down.

The Prosecutor's Office launched a criminal case against Khamidov on 1 March, Jehovah's Witnesses told Forum 18. He was initially charged under Article 216-1 of the Criminal Code, which punishes "incitement to participation in the activity of illegal public associations and religious organisations" with a sentence of up to three years' imprisonment.

However, following the initial investigation, the prosecutor requested that the charge against Khamidov be amended to Article 229-2, which punishes "violation of the procedure for teaching religious beliefs" with a sentence of up to three years' imprisonment.

The Jehovah's Witnesses complain that procedural violations during Khamidov's trial at Samarkand City Court were many. "Two of the 'witnesses' summoned to testify against Khamidov actually acknowledged that they had never seen him before, and that therefore he had never taught religion to them," they told Forum 18. "An advocate who was supposedly involved in the early stages of the investigation testified in court that he had not participated and that his signature on the case documents had been forged. Despite these irregularities, Khamidov was found guilty."

In the wake of his trial and without even waiting for the appeal to be heard, Khamidov was transferred to the Detention Centre in Kattakurgan, 80 kilometres (50 miles) north-west of Samarkand.

"While he was in pre-trial custody in the Samarkand Pre-trial Detention Center, he was on three occasions badly beaten by Investigator Rasulov, who demanded details of other Jehovah's Witnesses in Samarkand," Jehovah's Witnesses told Forum 18. "On one occasion, the beating lasted for an hour."

The 33-year-old Khamidov, a Tajik citizen who has a permanent residency permit in Uzbekistan, is married to an Uzbek citizen who is not a Jehovah's Witness. They have two children and another child on the way.

The Samarkand Jehovah's Witness community is one of several dozen across Uzbekistan which has been unable to gain legal status. Only two of their communities – in the eastern city of Fergana [Farghona] and in the town of Chirchik [Chirchiq] near Tashkent - have ever been registered, with repeated applications from other places being rejected on what the Jehovah's Witnesses say are arbitrary grounds. Last August, the local Justice Department stripped the Fergana community of its registration, leaving the Chirchik community as the only legal Jehovah's Witness community in the whole of Uzbekistan (see F18News 5 September 2006 http://www.forum18.org/Archive.php?article_id=837).

Crucially, Uzbekistan's religion law specifically bans unregistered religious activity in defiance of the country's international human rights obligations. This means that anything the several dozen other Jehovah's Witness communities do is illegal. Leaders and participants risk fines or imprisonment.

On 2 April, the day this year that Jehovah's Witnesses marked the Memorial of Christ's death, police tried to raid commemorations in two locations in Samarkand. One Jehovah's Witness was detained, taken to the police station and beaten on the head (see F18News 20 April 2007 http://www.forum18.org/Archive.php?article_id=945).

The Samarkand authorities have already moved against other religious communities, forcibly closing down the Seventh-day Adventist church and a Korean Protestant church in 2006 (see F18News 19 May 2006 http://www.forum18.org/Archive.php?article_id=784).

In another of the criminal cases launched this year against Jehovah's Witnesses, Ramil Gareev has been found guilty by Kashkadarya Regional Court in the southern town of Karshi [Qarshi] of violating Article 216-2 of the Criminal Code, which punishes "violation of the law on religious organisations" with a sentence of up to three years' imprisonment, the Russian news agency Interfax reported on 13 June. However, it said Gareev was released under an amnesty marking the fourteenth anniversary of the adoption in December 1992 of Uzbekistan's Constitution.

A court official told the agency that Gareev had broken the law by gathering people for religious events without state registration at the home of a local woman in Karshi.

"He conducted missionary activity which is banned by Uzbek law," an official told Interfax, adding that Gareev had also illegally taught his faith and distributed religious literature. Karshi police had searched the home where Jehovah's Witness meetings were held and confiscated 200 items of literature. The court official declared that the law allows religious literature to be used only by registered religious organisations within their legally-registered places of worship.

The official said Gareev had already been prosecuted under the Code of Administrative Offences in July 2005 for "illegal missionary activity".

As in Samarkand, the authorities in Karshi have also punished other religious communities for activity they dislike. In February police raided a Pentecostal church that has sought registration in vain for the past seven years (see F18News 9 March 2007 http://www.forum18.org/Archive.php?article_id=928). In October 2006, six Baptists were fined for taking part in an unregistered religious service and Christian literature seized from them was burnt on court orders (see F18News 27 November 2006 http://www.forum18.org/Archive.php?article_id=877).

The past year has seen harsher measures against religious communities. State control of all printed religious literature has been intensified (see F18News 29 June 2006 http://www.forum18.org/Archive.php?article_id=805). The state-run media's encouragement of intolerance against religious minorities has been stepped up (see F18News 19 December 2006 http://www.forum18.org/Archive.php?article_id=890).

Foreign non-governmental organisations with any kind of religious affiliation or suspected of having a religious affiliation have been closed down (see F18News 10 October 2006 http://www.forum18.org/Archive.php?article_id=852) and foreign citizens involved in religious activity have been deported (see F18News 21 August 2006 http://www.forum18.org/Archive.php?article_id=833). At the same time the government has stepped up its propaganda offensive trying to deny that it violates religious freedom (see F18News 19 December 2006 http://www.forum18.org/Archive.php?article_id=891). (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.

Full reports of the religious freedom situation in Uzbekistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=33>.

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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