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UZBEKISTAN: State close to removing Baptist leadership

By Felix Corley, Forum 18 (<https://www.forum18.org>)

Baptists in Uzbekistan have told Forum 18 News Service that they fear the head of the Baptist Union, Pavel Peichev, and the Union's accountant Yelena Kurbatova will now be removed from their roles leading the registered Baptist Union. This follows a Criminal Court in the capital Tashkent upholding the criminal conviction of the two, as well as of a Baptist layman Dmitri Pitirimov. The Court also upheld a three-year ban on each holding responsible positions. However, the court overturned massive fines on each. The three continue to insist that the charges against them of evading taxes and involving children in religious activity without their or their parents' consent were fabricated. Peichev stated that an appeal to the Supreme Court will probably be made. "The conviction was unjust and we want it overturned," he told Forum 18. Baptists in Uzbekistan have repeatedly insisted to Forum 18 that the authorities' main aim was to remove the leadership of the Baptist Union, continuing a pattern of state interference in the leadership of religious communities such as the Muslim and Jewish communities. Also, the Justice Ministry has forced a church website to close.

Baptists in Uzbekistan have told Forum 18 News Service of their fear that the head of the Baptist Union, Pavel Peichev, and the Union's accountant Yelena Kurbatova will now be removed from their leadership roles by the state. Tashkent city Criminal Court in the capital upheld the criminal conviction of the two, as well as of a Baptist layman Dmitri Pitirimov, at their appeal on 4 December. It also upheld a three-year ban on each holding responsible positions. However, the court overturned the massive fines on each, a decision greeted with relief by local Baptists. The three continue to insist that the charges against them of evading taxes and involving children in religious activity without their or their parents' consent were fabricated.

"We will probably lodge a further appeal to the Supreme Court," Peichev told Forum 18 from Tashkent on 7 December. "The conviction was unjust and we want it overturned." He said the Union will wait to receive the written judgment – expected in about a week – before deciding what course of action to take.

Pitirimov was more outspoken. "Although we won't now have to pay the massive fines, we still have a criminal record," he complained to Forum 18 from Tashkent on 7 December. "It means that all the false accusations that Baptists psychologically harm children against the will of their parents and keep them half starving like animals are now pure truth."

He warns that the court ruling that the three will not be able to hold any responsible positions for three years will be the most serious impact of the court decisions. "Pavel can't be leader of the Baptist Union any more – that's clear. Court executors will enforce this. Yelena won't be able to have anything to do with finances, but accounting is her only profession. This is serious for the Baptist Union and serious for them."

Baptists in Uzbekistan have repeatedly insisted to Forum 18 that the authorities' main aim was to remove the leadership of the Baptist Union (see F18News 29 October 2009 http://www.forum18.org/Archive.php?article_id=1369).

Article 45 of the Criminal Code, which covers deprivation of rights (such as enforced removal from office), notes that the period of the punishment begins when the sentence comes into force. The Court is now due to send the written verdict to the local police where the three Baptists live for their Inspectorate for Enforcement of Punishments to oversee. The Inspectorate is due to write to the Baptist Union to ensure that those found guilty are removed from office.

The three will also be summoned to the police to present a series of personal documents (including names and addresses of all relatives) and sign a statement that they will not leave Tashkent without prior permission from the Inspectorate. They will also be subjected to periodic "prophylactic check-ups" by their local police officer. "They will be kept under tight observation," one Baptist told Forum 18.

Pitirimov said the verdict is less likely to have an impact on him, as he holds no position with the Baptist Union and works in business. His role as director of the Joy Baptist summer camp is as an unpaid volunteer.

No officials at the Justice Ministry, the City Criminal Court, the Religious Affairs Committee or the government-sponsored National Human Rights Centre of Uzbekistan were answering their telephones on 7 December because of the public holiday marking

Uzbekistan's Constitution.

Criminal prosecution

Trouble for the Baptists began after officials visited the Joy summer camp the church runs on a site it owns in Tashkent Region's Bostanlyk District during the summer. They then started questioning parents and children who had visited the camp in previous years and also claimed that the Baptist Union had failed to pay taxes they owed since 2006. The investigation was accompanied by hostile coverage in the state-run media.

The criminal case against Peichev, Kurbatova and Pitirimov was lodged by Tashkent City Prosecutor's Office under Uzbekistan's Criminal Code Article 184 Part 2a and 2b and Article 145 Part 2 (see F18News 10 September 2009 http://www.forum18.org/Archive.php?article_id=1346).

Article 184 Part 2a punishes repeatedly evading taxes, levies and other charges, while Part 2b covers such offences "on a grand scale" with a fine between 150 and 300 times the minimum monthly wage or between two and three years' correctional labour or up to three years' deprivation of liberty.

Article 145 Part 2 punishes involving under-aged children in a religious organisation, as well as teaching them religion against their will or the will of their parents or guardians, with a fine of between 50 and 75 times the minimum monthly wage or between two and three years' correctional labour or up to three years' deprivation of liberty.

On 29 October, at the end of their high-profile trial, Judge Nodyr Akbarov of Tashkent's Yakkasaray District Criminal Court found Peichev, Kurbatova and Pitirimov guilty on both charges. As well as being banned from administrative functions for three years, each was fined 260 times the minimum monthly wage. The fines come to 8,747,700 Soms (32,820 Norwegian Kroner, 3,900 Euros, or 5,760 US Dollars) each.

The Baptist Union was also ordered to pay to the State Budget the allegedly unpaid taxes on their income from the Children's Camp amounting to 3,620,200 Soms (13,580 Norwegian Kroner, 1,615 Euros, or 2,380 US Dollars).

At the 4 December appeal, the three judges of the court - Kurbanov, Tashpulatov and Sadykov - ruled that the three were guilty but said the offences fell under the amnesty declared by the Oliy Majlis (Parliament) in August, so the fines were cancelled. However, this left the three with a criminal record and the ban on holding positions for three years.

Baptists told Forum 18 that the hearing lasted only 20 minutes and was delayed by two hours until an official from the United States embassy who was hoping to attend had left. Only the lawyer and a pastor of the Union were allowed into the courtroom in addition to the defendants.

The lawyer for the three called for the earlier sentences to be annulled, telling the court that 61 mistakes had been found in the tax inspection certificate drawn up by Makhamadjon Akhunov and pointing out that those summoned as witnesses in the case had all withdrawn the testimony against the three given during the investigation.

Each of the three defendants was asked whether they consider themselves innocent or guilty and all three insisted the charges against them had been fabricated. Pitirimov in particular pointed out that he should not have been punished in any case on the tax accusation as he holds no function with the Baptist Union and is not paid for running the Joy camp. The prosecutor's assistant, Kanibaev, then insisted that the charges against all three were accurate. The judge then asked the defendants to leave the courtroom, but then returned three minutes later with the verdict.

Forum 18 understands that even if any appeal is lodged to Uzbekistan's Supreme Court, the 4 December decision goes into force.

The three Baptists also lodged complaints against Anatoli Tadjibayev, Tashkent City Prosecutor's Office Senior Investigator, as well as against a lawyer Ramiz Azimov, who had been appointed to assist them. Instead of that, the Baptists complain that despite never having seen him, Azimov signed 18 documents with prosecutors which were fabricated. Azimov's office telephone went unanswered when Forum 18 called on 7 December.

Baptists have also told Forum 18 that on 9 November, the verdict of the 29 October hearing was received which indicated that another Baptist, Valery Konovalov, had been prosecuted in his absence after being questioned as a witness in the case.

Judge Nodyr Akbarov of Yakkasaray District Criminal Court found Konovalov guilty of violating Article 240 Part 2 ("proselytism") and Article 241 ("teaching religious beliefs without specialised religious education and without permission from the central organ of a [registered] religious organisation, as well as teaching religious beliefs privately") of the Code of Administrative Offences. He was fined 2,804,200 Soms (10,616 Norwegian Kroner, 1,253 Euros or 1,858 US Dollars). "This was a nonsense," one Baptist complained to Forum 18. "The amnesty on the fines handed down on the three was not extended to Konovalov, so he must pay this fine."

Enforced leadership change

The 55-year-old Peichev has led the Baptist Union since 1994, though he no longer has a position as a pastor of any individual congregation in the Union. In April 2008 he was elected as one of two vice-presidents of the Euro-Asian Baptist Federation at its congress in the Ukrainian capital Kiev.

Peichev's family suffered for their faith during the Soviet period. His paternal grandfather was arrested as an active Baptist under Stalin and died in a Siberian labour camp, while his children (including Pavel Peichev's father) were scattered to various state orphanages. Also under Stalin, his maternal grandfather had to flee with his family in the middle of the night to escape arrest, moving from Russia to Uzbekistan.

The Uzbek state authorities already control all leading Muslim appointments, from the Chief Mufti downwards. This is the only religious community where its leaders are nominated directly by the state (see Forum 18's Uzbekistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1170).

The authorities have also interfered in the leadership of other religious communities by expelling from the country foreign citizen leaders they dislike. The head of the Jewish community, Chief Rabbi Abe David Gurevich, was forced to leave Uzbekistan in June 2008 after the Justice Ministry refused to renew the accreditation for him and his wife Malka to work in the country. Russian-born but with both a US passport and an Israeli passport, Gurevich had worked in Uzbekistan since 1990 (see F18News 14 July 2008 http://www.forum18.org/Archive.php?article_id=1158).

Severe state controls continue

The criminal conviction of the three Baptists came as the Uzbek authorities continued their tight control over all religious activity in the country.

On 26 November, Judge H. Rahimova of the Appeal Court of Surkhandarya Region upheld fines handed down on 23 October by a District Court on eleven local Protestants. The Protestants had gathered for a meal together, but the authorities punished them for holding an illegal religious meeting (see F18News 18 November 2009 http://www.forum18.org/Archive.php?article_id=1376).

The Appeal Court left the fines on ten of the Protestants unchanged, but reduced the fine on Muhabbat Kobulova by two thirds. She must now pay 10 times the minimum monthly wage or 336,450 Soms (1,250 Norwegian Kroner, 150 Euros, or 220 US Dollars).

State sponsored region.uz news agency reported on 10 November that Jens Gregersen, a Danish citizen, was deported from Uzbekistan for illegal religious activity. The agency said that he was accused of using his business activity, selling computers in Uzbekistan as a cover up for spreading the Jehovah's Witnesses faith.

Jehovah's Witnesses denied that Gregersen was a member or had held Jehovah's Witness meetings in his home in Tashkent. "As far as we know, this businessman is not one of Jehovah's Witnesses," they told Forum 18, "he did not study the Bible with Jehovah's Witnesses, there were no meetings of Jehovah's Witnesses in his house or something else."

The Uzbek authorities again restricted the number of Muslims allowed to go on the annual haj pilgrimage to Mecca in November. Some 5,000 are reported to have undertaken the pilgrimage, although Uzbekistan is believed to have a quota of some 25,000. All pilgrims once again needed approval not only from the local office of the Muslim Board but also from mahalla (city district) committees where they live and the National Security Service (NSS) secret police. State controls on the haj have been in place for more than a decade (see F18News 5 December 2008 http://www.forum18.org/Archive.php?article_id=1226).

More internet censorship

The Justice Ministry has also forced the Full Gospel Protestant Union to close down its website <http://www.church.uz>, Forum 18 has learnt. During a check-up on whether the Union's activity was in accordance with the law in 2008, the Justice Ministry insisted the Union had to register the website. However, subsequent attempts to do so with the Uzbek Press and Information Agency got nowhere. In a letter of 17 August in the wake of a further check-up, Deputy Minister Sobir Holbaev issued a "request" that the Union halt using the site. The Union then issued a message to readers of its website apologising for the "enforced closure of the site".

Utkur Juraev, an official with the Press and Information Agency, insisted to Forum 18 in September that it registers all applications "without exception if the documents are in order". He said he could not remember why the Full Gospel Union's website had not been registered.

Internet censorship is normally done at the instigation of the NSS secret police. Internet service providers (ISPs) in Uzbekistan blame the blocking of sites on Uznet, owned by the state provider Uzbektelecom and through which all ISPs have to connect to the internet. Uznet insists that sites are already blocked by the NSS. "We don't block websites – this is done by the NSS secret police.

The NSS open the connections for us – they have all the equipment there," an Uznet employee told Forum 18. Uzbekistan has long barred access to more websites than any other Central Asian country (see F18News 10 April 2007 http://www.forum18.org/Archive.php?article_id=941). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom 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=1170.

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 can be found at http://www.forum18.org/Archive.php?article_id=1351.

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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