

24 January 2012

UZBEKISTAN: "I don't care about the law or your rights"

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

One of the police officers accused of beating local Protestant Shokir Rahmatullayev after a raid on his home in Jarkurgan in Surkhandarya Region has adamantly denied that any violence was used, but refused to discuss the case. Captain Ruzi Nazarov insisted to Forum 18 News Service that police did "not beat or threaten" Rahmatullayev. Police chief Bahrom Tursunov not only beat and threatened Rahmatullayev with a false murder charge, but threatened that his mother "could become Tursunov's concubine", sources told Forum 18. Tursunov told Rahmatullayev that he, with his Christian activity, is "helping Russians to take over Uzbekistan". Another officer involved in the beatings told him: "I don't care about the law or your rights". Administrative charges have been lodged against Rahmatullayev and two other church members. Other Protestants continue to be fined elsewhere in Uzbekistan. But in one case in Tashkent, the fine was reduced on appeal, though the judge upheld the decision to destroy confiscated Christian literature.

Three members of the same Protestant church in Jarkurgan, a town north of Termez in Uzbekistan's southern Surkhandarya Region, are facing administrative charges to punish them for their religious activity, Forum 18 News Service has learned. The charges follow police raids on 3 January on the homes of two of the three, Shokir Rahmatullayev and Lyudmila Suvorova, during which officers confiscated Christian books and DVD discs. Police chief Bahrom Tursunov, Captain Ruzi Nazarov from the Criminal Investigation Department (CID) and other police officers used physical violence against Rahmatullayev, and threatened him with criminal charges, to compel him to sign statements against himself and his fellow believers, Protestants told Forum 18. "I don't care about the law or your rights," one officer told him during the beatings. Captain Nazarov adamantly denied to Forum 18 that any violence was used, but refused to discuss the case.

Meanwhile, a married couple in Fergana Region have been fined, while it remains unknown if Christian literature and discs confiscated from them will be destroyed. A Protestant in the capital Tashkent has had his fine reduced, but the judge has upheld the decision to destroy his confiscated Christian books.

Religious literature confiscated during raids – including Bibles and other Scriptures - is often ordered destroyed by Uzbek courts (see eg. F18News 9 September 2011 http://www.forum18.org/Archive.php?article_id=1611).

First raid

The first raid by Jarkurgan Police took place at 2 pm on 3 January. Fifteen officials, ten wearing police uniforms, "broke into Suvorova's home claiming to be checking passports", a source from the region who wished to remain unnamed for fear of state reprisals told Forum 18 on 18 January.

The officials confiscated ten Christian books, and several Christian DVDs of films, cartoons and music. The confiscated books included books on Mary, Bathsheba, Ruth, and Tamar (all women from the Bible), Christian doctrines, a New Testament for children, and a Children's Bible in English. All the books were purchased from the officially registered Bible Society of Uzbekistan.

Second raid

An hour and a half later on 3 January, twenty officials – fifteen of them in police uniforms - raided Rahmatullayev's home in Yangiobod mahalla (residential quarter) of Jarkurgan, claiming to be looking for a stolen television set. The police did not have a search warrant, which made the search illegal, the source told Forum 18. Police confiscated from the flat two books by John Bunyan translated into Uzbek. (Bunyan was a Christian writer who was twice imprisoned for his faith in late 17th century England.)

During the raid police chief Tursunov was accompanied by among others his subordinates Captain Nazarov, police officers Dilmurod and Begzod (whose last names were not given), and Kushbak Soatov, Chair of the Yangiobod mahalla committee.

Mahalla committees, in theory locally-elected but in practice state-appointed, are a key part of Uzbekistan's structures of control and oppression (see eg. F18News 27 March 2007 http://www.forum18.org/Archive.php?article_id=936). They are for example used as part of the state apparatus to restrict the numbers of Muslims allowed to make the haj pilgrimage to Mecca, as part of the total

control the state has over all aspects of officially-permitted Islam (see F18News 7 November 2011 http://www.forum18.org/Archive.php?article_id=1634).

When the search was over, Mahalla Chair Soatov and police "twisted and tied up the arms" of Rahmatullayev, the source said, and took him to Jarkurgan Police Station. Police detained and questioned him there for over 24 hours, before releasing him late in the afternoon on 4 January.

Violence

At the police station, Rahmatullayev was ordered to stop his religious activity, and sign statements against himself and fellow church member Dmitri Inyushev. Police chief Tursunov told Rahmatullayev that he, with his Christian activity, is "helping Russians to take over Uzbekistan".

Tursunov "insulted Rahmatullayev with unquotable expressions", and threatened that he would face "criminal charges for the unsolved murder of some old lady". Tursunov also threatened Rahmatullayev by saying that his mother "could become Tursunov's concubine", sources complained to Forum 18.

Police chief Tursunov also several times hit Rahmatullayev's head, slapped him, and pulled his hair. After this Tursunov tried to provoke Rahmatullayev to hit him, by saying "Hit me, hit me!"

Police officers Captain Nazarov and Bobomurod (last name not given) also insulted Rahmatullayev, hit his head, slapped him, and dragged him onto the floor. While Rahmatullayev was on the floor, police pulled his hair and kicked his chest, the source told Forum 18. "I don't care about the law or your rights," Officer Bobomurod told Rahmatullayev.

Torture "routine"

The use by officials of violence and torture, or threats of this, is "routine" in Uzbekistan, the United Nations Committee Against Torture has found. Women in particular are often targeted by such assaults (see eg. F18News 29 April 2010 http://www.forum18.org/Archive.php?article_id=1438).

Why?

Asked why police raided Rahmatullayev and Suvorova's flats, Captain Nazarov of Jarkurgan CID told Forum 18 on 20 January: "We know that they are involved in missionary activity. They are working among the Muslim population." Asked whether Christians can work among Muslims, he refused to answer.

Captain Nazarov adamantly denied that violence had taken place, saying to Forum 18 that police did "not beat or threaten" Rahmatullayev. He then refused to answer any more questions.

Charges

Police sent the confiscated books from Rahmatullayev's and Suvorova's flats to the state Religious Affairs Committee in Tashkent, for "expert analysis", the source told Forum 18. It is thought that the police are also collecting information on Inyushev, and waiting for the results of the "analysis".

Police are preparing charges against the two and Inyushev, under the Code of Administrative Offences Article 184-2 ("Illegal production, storage, or import into Uzbekistan with a purpose to distribute or distribution of religious materials by physical persons"), Baptists said. This "offence" is punishable with a fine of between 50 and 150 times the minimum monthly wage, "with confiscation of the religious materials and the relevant means of their production and distribution".

Charges are also being prepared under Administrative Code Article 240, Part 2 ("Attracting believers of one confession to another (proselytism) and other missionary activity"). This "offence" is punishable by either fines of between 50 and 100 times the minimum monthly wage, or administrative arrest for up to 15 days. There is no clear legal definition of what exactly "proselytism" or "missionary activity" is, leaving much room for arbitrary official interpretations.

Jarkurgan Police told Forum 18 on 20 January that Police Chief Tursunov was not available to talk to Forum 18.

Captain Nazarov told Forum 18 that the police on 13 January referred administrative cases to Jarkurgan City Criminal Court against the three Protestants. However, he said that he was not sure where the cases will be heard – in Jarkurgan or Termez, the capital of Surkhandarya Region. "They will receive summonses to the hearing," he said.

Bahrom Karorov from the Chancellery of Jarkurgan Criminal Court told Forum 18 on 23 January that an administrative case only against Rahmatullayev has reached the Court and that the Chair of the Court will hear it. He said that he could not discuss with

Forum 18 the details of it. After some discussion with the Chair of the Court, he refused to put Forum 18 through to him. Karorov also refused to say whether the hearing has already begun, or when it will be heard.

Earlier harassment and violence

In September 2007 Jarkurgan Police arrested and used violence against members of the same Protestant church, who had gathered in Suvorova's home to celebrate her son Vitaly Suvorov's birthday (see F18News 4 October 2007 http://www.forum18.org/Archive.php?article_id=1029). In October 2007 seven church members, including Rajapov, Suvorov, and Inyushev, were fined between five and fifty times the minimum monthly wage for possessing more Christian literature than they were allowed to have (see F18News 30 November 2007 http://www.forum18.org/Archive.php?article_id=1055).

Suvorov was among local Protestants attacked by ordinary police and National Security Service (NSS) secret police in August 2006, when they raided a church summer camp. He sustained injuries requiring hospital treatment (see F18News 6 September 2006 http://www.forum18.org/Archive.php?article_id=838).

Fined for religious books and discs

Meanwhile courts have handed down new fines on unregistered Baptists and other Protestant Christians, while appeals against earlier fines were unsuccessful.

Latibjon and Kamilakhon Mamajanov, a married couple, members of an unregistered Baptist Church, were punished under Administrative Code Article 184-2. According to the verdict seen by Forum 18, on 27 December 2011 Judge Farrukh Abdurahimov of Fergana City Criminal Court in eastern Fergana Region fined each ten months' minimum wage - 572,000 Soms each (1,856 Norwegian Kroner, 243 Euros, or 315 US Dollars at the inflated official exchange rate).

Nasiba Sharipova, Assistant of Judge Abdurahimov, said the Judge could not speak to Forum 18 but asked her to speak on his behalf. Sharipova declined to comment on the case, saying that the Court could only answer Forum 18's questions in writing.

In his verdict, Judge Abdurahimov ordered the confiscation of 55 Christian books, 59 booklets, a laptop computer and 35 DVD discs seized from the Mamajanovs and their hand-over to Fergana City Justice Department's religious affairs officials.

The items were seized from the Mamajanovs' private flat during a Police raid on 19 November 2011. Confiscated items included two Bibles, and a New Testament in Uzbek, as well as several discs of the "Jesus" film.

Assistant Sharipova told Forum 18 she does not think the confiscated books and materials will be destroyed. She refused to say whether or not they could be returned to the Mamajanovs.

Fergana Justice officials, who did not give their names, refused to comment to Forum 18 on 23 January on what will happen to the confiscated materials.

Fine reduced, but religious literature to be destroyed

Meanwhile on 26 December 2011, Judge Mirvosit Usmonov, Chair of Tashkent Region's Chirchik City Criminal Court, reduced on appeal the fine handed down to local Protestant Azamat Rajapov. The appeal decision, of which Forum 18 has seen a copy, upholds his "guilt" of violating Administrative Code Article 240, Part 1 ("unregistered religious activity"). However, the Judge reduced the fine to twenty months' minimum wage - 1,144,000 Soms (3,712 Norwegian Kroner, 486 Euros or 630 US Dollars at the inflated official exchange rate).

On 3 October 2011, Judge Abdurahmon Tohirov of the same Court had fined Rajapov 50 times the minimum monthly wage - 2,860,000 Soms – under the same charges (see F18News 2 November 2011 http://www.forum18.org/Archive.php?article_id=1633).

However, Judge Usmonov with the same decision upheld the confiscation and destruction of the five Christian books and 33 DVD discs seized from Rajapov.

Officials of the Court, who did not give their names, told Forum 18 on 23 January that Judge Tohirov had retired, and that neither Judge Usmonov nor any other official could comment on the case.

Police arrange false witnesses?

During the hearing of Rajapov's appeal on 22 December 2011, "written proofs were presented to the Court that signatures of six people used as witnesses, residents of Tashkent City and Tashkent region, in Rajapov's case were falsified by Chirchik City Police officers – Police Inspectors Captain Bekbol Sidikov, Lieutenant Diyar Saidahmedov, Lieutenant Jamshid Riskhidinov as well as Lieutenant Y. Tursunov from Chirchik Police's Criminal Investigation Division, and that no such residents existed in these places,"

Protestants from Tashkent, who wished to remain unnamed for fear of state reprisals, told Forum 18.

"The Judge did not evaluate or comment on the evidences" of falsification presented by Rajapov's defence, the Protestants said, "he just reduced the fine." They said that they are not sure whether or not Rajapov will file another complaint.

Asked if the falsification allegations are being investigated, Ulugbek Isabekov, Deputy Chief of Chirchik Police, told Forum 18 on 24 January that he is not aware of Rajapov's case. "Please, call us tomorrow," he said, after taking down Forum 18's name and the case details. Numbers of Sidikov, Saidahmedov and Riskhidinov went unanswered on 24 January.

This is not the only recent case where the police have produced an apparently false witness. On 21 November 2011 Sergei Kozin, a Baptist, was fined 80 times the minimum monthly wage after a police raid on a group of Baptists who were reading on holiday together. The case – as also one other recent case – was brought even though it was beyond the legal time limit to bring charges. Baptists stated to Forum 18 that the case was "fabricated", with the alleged "witness" not producing the required identity documents (see F18News 5 December 2011 http://www.forum18.org/Archive.php?article_id=1643).

Unsuccessful appeals against fines

At least in two cases known to Forum 18, in November and December 2011 Courts in Tashkent and in Syrdarya region upheld fines given to nine Baptists, according to the court decisions which Forum 18 has seen.

Judge Sobir Matibrahimov, Chair of Tashkent Regional Criminal Court, on 12 December 2011 upheld the massive fine given to Sergei Kozin, member of an officially registered Baptist Church in Sergeli District near Tashkent.

On 21 November 2011 Kozin was fined 80 times the monthly minimum wage, or 3,978,800 Soms (12,810 Norwegian Kroner, 1,655 Euros, or 2,220 US Dollars at the inflated official exchange rate) (see F18News 5 December 2011 http://www.forum18.org/Archive.php?article_id=1643).

Meanwhile, Syrdarya Regional Criminal Court on 2 November 2011 rejected the complaint of Dilafruz Muradova, a local Baptist, against the Region's Guliston City Court's 5 August 2011 appeal decision to uphold the fine given to her by the Region's Guliston City Criminal Court on 28 July 2011 (see F18News 9 September 2011 http://www.forum18.org/Archive.php?article_id=1611). (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://education.nationalgeographic.com/education/mapping/outline-map/?map=Uzbekistan>.

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