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UZBEKISTAN: Islamic and Christian literature ordered destroyed

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

In two separate cases in February, in different regions of Uzbekistan, courts have ordered religious literature confiscated from four Muslim women and a Protestant destroyed, Forum 18 News Service has learned. All five were also fined, Muslims Nasiba Ashirmatova, Mahsuma Rahimkhujayeva, Iroda Mirzukurova and Mohinur Kholmatova being fined five times the minimum monthly wage and Baptist Odiljon Solijanov being fined 20 times the minimum monthly wage. The four Muslim women work together in a kindergarten, and would sometimes during lunch breaks discuss religious subjects such as how to pray. This led to NSS secret police and ordinary police harassment, leading to a raid, literature confiscations and a fine. The police prevented the women attending the original court hearing, an appeal was rejected, and it is likely that all four women will be closely watched by the authorities. Ashirmatova has already been sacked from the kindergarten. Solijanov was asked by the judge in his court hearing: "Is it true you were distributing literature harmful to our state?" He answered: "The Word of God is not harmful to anyone, and we are called in the Gospel to spread the good news", Baptists told Forum 18.

In two separate cases in February, in different regions of Uzbekistan, courts have ordered religious literature confiscated from four Muslim women and a Protestant destroyed, according to the verdicts seen by Forum 18 News Service. All five were also fined. Forum 18 notes that Uzbek courts frequently order the destruction of religious literature confiscated during raids on places of worship or private homes.

Other religious communities have suffered police and National Security Service (NSS) secret police raids (including during meetings for worship), confiscation of religious literature and musical instruments, and court ordered fines. In one case in Samarkand in February, a court ordered Christian literature confiscated from a Protestant to be handed to the local branch of the officially controlled Islamic religious leadership (the Spiritual Administration of Muslims or Muftiate) (see F18News 19 March 2012 http://www.forum18.org/Archive.php?article_id=1680).

Discussing how to pray leads to NSS secret police harassment

Four Muslim female residents of Tashkent Region's Parkent District – Nasiba Ashirmatova, Mahsuma Rahimkhujayeva, Iroda Mirzukurova and Mohinur Kholmatova – all worked in late 2011 at the same kindergarten. While at work, the four women "would sometimes during the lunch breaks discuss religious subjects, such as how to pray", human rights defender Shuhrat Rustamov told Forum 18 on 14 March. The ordinary police and NSS secret police had contacted the four women in their work place in August 2011. "Maybe someone from their workplace had informed the authorities about their discussions," he told Forum 18.

Kindergarten terrorists?

Up to seven Police and NSS secret police officers, including Parkent District Police Criminal Investigator Bobur Kurbonov and Officer Elzod (last name not given) - who described himself as an anti-terrorist police officer - raided Nasiba Ashirmatova's home on 15 December 2011, she told Forum 18 on 14 March. Ashirmatova is a devout Muslim.

During the raid Ashirmatova's home was searched and Islamic religious literature found. Rustamov said that Ashirmatova bought all the religious materials found in a Parkent bazaar, where they are openly sold. "Indeed, the search in Ashirmatova's home was done on 15 December, a long time after the police and NSS had already begun harassing her," he clarified. He added that the search was a "formality", and the authorities "needed to find any evidence" for their prosecution of the four.

Rustamov speculated that the NSS secret police may want to compel Ashirmatova to forfeit some funds left to her by her deceased husband in foreign bank accounts.

Officer Umid (who did not his last name), a local policeman, on 14 March confirmed to Forum 18 that Officers Bobur Kurbonov and Farrukh Rasulov from Parkent Police were involved in the case. Parkent Police officials refused several times between 14 and 15 March to comment on the case, or put Forum 18 through to Officers Kurbonov or Rasulov.

Following the raid, Ashirmatova, Rahimkhujayeva, Mirzukurova and Kholmatova were all charged with breaking the Code of

Administrative Offences' Article 241, Part 1 ("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").

Judge Mashrab Mirzayev of Yukorichirchik District Criminal Court on 5 January 2012, in a verdict seen by Forum 18, found all four women guilty in their absence. He fined each of the four 314,600 Soms (990 Norwegian Kroner, 130 Euros, or 170 US Dollars at the inflated official exchange rate). This is five times the minimum monthly wage.

The verdict signed by Judge Mirzayev is short and does not give details of how the alleged violations by the four were established. "As a result of a joint operation by Parkent District Police and Yukorichirchik District Department of the NSS [secret police] it was established on 15 August 2011 that citizens Ashirmatova, Rahimkhujayeva, Mirzukurova and Kholmatova are engaged in illegal religious activity without authorisation from a central religious organ," it states.

Police stopped women from attending court, struggle to get verdict

Ashirmatova complained that the 5 January hearing was held in their absence. Police Officer Rasulov "invited us [the four women] to Parkent Police on 5 January before the time given to us when the hearing should have taken place. He then told us that there is no need to go the Court, as the hearing had already taken place."

Yet the court decision alleges that the four women "without giving any reasons for their absence did not appear before the Court although they were summoned to the hearing."

Judge Mirzayev handed Ashirmatova a copy of his decision on 25 January, twenty days after the hearing, she complained to Forum 18. "He gave it to us only after we publicly protested against this," Ashirmatova pointed out.

Muslim books ordered to be destroyed

The verdict adds that religious books, four DVDs and two audio-cassette tapes were found during a search of Ashirmatova's home, and sent for "expert analysis" by the state Religious Affairs Committee. "Based on a 20 December 2011 decision of the Committee the import into and distribution in the territory of Uzbekistan Republic of the confiscated materials is forbidden," the verdict declares without giving further details.

Most of the books in Uzbek that the verdict describes as "forbidden" and to be destroyed are Muslim, such as "The Religion of Islam" and "Introduction to the Practice of Islam". A book of the latter title - which explains ablution, the namaz [prayers] and other prayers, the fast, zakat [almsgiving] and the haj pilgrimage – was translated into Uzbek and published in Tashkent by a Muslim publisher in 2004. It was written by Akhmad-Khadi Maksudi, a Tatar writer and Muslim theologian arrested by the Soviet secret police in the 1930s. But some titles relate to Chinese herbal medicine, without any specific reference to religion.

All religious literature of any kind in Uzbekistan is under tight state censorship. Courts frequently order that religious literature confiscated during raids - including Bibles - be destroyed (see eg. F18News 26 August 2011 http://www.forum18.org/Archive.php?article_id=1605).

Appeal fails

On 13 February Tashkent Region Criminal Court heard an appeal brought by all four women against the fines and the destruction of religious literature. Judge Hokim Malikov upheld the original verdict. Human rights defender Rustamov said that Judge Malikov conducted the appeal hearing in the absence of a panel of judges, prosecutor or lawyers. "Judge Malikov twice spoke on his cell phone during the hearing, and ignored Ashirmatova's petitions against Judge Mirzayev's and the police actions". Judge Malikov also did not try to determine whether the confiscated religious materials are illegal.

Human rights defender Rustamov told Forum 18 that Ashirmatova had been sacked from her job at the kindergarten on 21 December 2011, as had one of the other women. He added that the fine means that the police and local Mahalla Committee will from now on closely watch the four women.

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).

Judges and court refuse to discuss case

Tashkent Regional Court officials on 15 March refused to put Forum 18 through to Judge Malikov. Ilkhom Tagayev, Chair of the Court's Chancellery, told Forum18 on 15 March that neither Judge Malikov nor anyone else from the Court is authorised to

comment on the Court decisions over the phone. "If Ashirmatova is not satisfied with the decision she still has time to file a Cassation Appeal," he said. He then declined to speak any more to Forum 18.

Judge Mirzayev also refused to talk about the case. After introducing himself over the phone on 15 March, he hung up as soon as he heard Forum 18's question on the case.

Christian books ordered to be destroyed

On 15 January Odiljon Solijanov, a member of an unregistered Council of Churches Baptist church from Pap District in Namangan Region in the east was stopped by Pap District Police officers. Solijanov was offering Christian books to passers-by on the street in the small town of Halkabad in the District, Baptists told Forum 18. Anvar Ganiyev, the local policeman and other police officials took Solijanov to the nearest Police Station and confiscated all his books.

Judge Kh. Sotivoldiyeva of Pap District Criminal Court on 15 February found Solijanov guilty of violating Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan with a purpose to distribute or distribution of religious materials by physical persons"). She fined him 1,258,400 Soms (4,000 Norwegian Kroner, 520 Euros, or 680 US Dollars). This is 20 times the minimum monthly wage.

The verdict notes that the Judge ordered the destruction of three Christian books confiscated from Solijanov: "Ruth, Esther and Jonah" and the Gospel of Luke, both in Uzbek, and a book entitled "Come back home" in Russian.

"Is it true you were distributing literature harmful to our state?"

Baptists complained that the hearing was very short. "To make her decision the Judge asked only: 'Is it true you were distributing literature harmful to our state?'". Solijanov answered: "The Word of God is not harmful to anyone, and we are called in the Gospel to spread the good news", Baptists told Forum 18.

Appeal in preparation

Baptists who wished to remain unnamed for fear of state reprisals told Forum 18 on 12 March that Solijanov received the copy of the verdict 13 days later on 28 February. He is preparing to file an appeal against it.

Pap District officials between 14 and 15 March refused to put Forum 18 through to Judge Sotivoldiyeva or comment on the case. One official, who did not give his name, told Forum 18 on 14 March that the Judge was in a meeting, and could not come to the phone. He asked Forum 18 to call back the next day, when she would be ready to comment.

Called back on 15 March, the same official said Sotivoldiyeva was attending another meeting, and would not be available soon. (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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