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UZBEKISTAN: Raids, criminal charges and Christmas Bible destruction

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

After two raids on her home in Urgench in north-west Uzbekistan this January and being detained for 11 hours, Protestant Christian Sharofat Allamova is facing criminal prosecution for "illegally" storing religious literature, the police officer who led the raids told Forum 18 News Service. The criminal charges carry a fine up to 200 times the minimum monthly wage, or a prison term of up to three years. Also, Protestants in Tashkent Region have told Forum 18 that they are upset and outraged over a judge's order to destroy Bibles. They are particularly upset as the decision was handed down on 24 December 2012, as church members were beginning their Christmas celebrations. Judge Ikrom Obidov – who fined four local Protestants in the same case – has already punished many people locally for exercising their right to freedom of religion or belief. In an appeal against an earlier fine of 100 times the monthly minimum wage imposed by Obidov, also for "illegally" distributing religious literature, the appeal judge ignored evidence that the original case against Protestant Vadim Shim had been fabricated.

After two raids on her home in Urgench [Urganch] in Uzbekistan's north-western Khorezm Region in January, Protestant Christian Sharofat Allamova is facing criminal prosecution for "illegally" storing religious literature, the police officer who led the raids told Forum 18 News Service. The criminal charges – for which she was given a six-month suspended jail term in 2007 - carry a fine of up to 200 times the minimum monthly wage, or a prison term of up to three years. Religious communities and individuals elsewhere in Uzbekistan continue to face punishment for storing or carrying their religious books and peacefully meeting for worship.

Protestants in Tashkent have told Forum 18 that they are upset and outraged over a judge's order to destroy the Bible. They are particularly upset as the decision was handed down on 24 December 2012, as church members were beginning their Christmas celebrations. The judge – who fined four local Protestants in the same case – has already punished many religious believers locally for exercising their right to freedom of religion or belief.

Two raids, criminal case opened

Twice in January 2013, Urgench Police have raided the home of local Protestant Sharofat Allamova. Police confiscated Christian literature from her home, and opened a case against her under Criminal Code Article 244-3, Protestants who wished to remain unnamed for fear of state reprisals told Forum 18 on 25 January.

Criminal Code Article 244-3 bans "illegal production, storage, import or distribution of religious literature". It carries – if there has been a previous administrative conviction - a maximum sentence of a fine of between 100 and 200 times the minimum monthly wage, or up to three years' imprisonment. All religious literature of any kind in Uzbekistan is under tight state censorship (see F18News 1 July 2008 http://www.forum18.org/Archive.php?article_id=1153).

The Protestants said that police opened a criminal case as Allamova was convicted of the same "offence" under the Code of Administrative Offences in under a year.

Earlier threats, jailing, fine, confiscations

Allamova has faced repeated harassment from the authorities. In June 2004 she was interrogated and threatened by the National Security Service (NSS) secret police (see F18News 7 July 2004 http://www.forum18.org/Archive.php?article_id=356), and she was detained for four days in June 2007 after Christian books and films were found in her bag on a late-night bus. Her home was raided, Christian literature seized, and she was given a six-month suspended jail sentence (see F18News 17 September 2007 http://www.forum18.org/Archive.php?article_id=1019).

In May 2012 Allamova was fined 10 times the then minimum monthly wage under the Administrative Code, for possessing religious literature. The judge ordered the permanent confiscation of the three Christian books and three DVDs the police had confiscated from her home. Allamova appealed against the verdict, noting that among 272 violations of Uzbek legal procedure she had not – as the verdict stated – pleaded guilty, and that she had been denied legal representation. But an Appeal Court upheld both the fine and

confiscations (see F18News 6 August 2012 http://www.forum18.org/Archive.php?article_id=1729).

First raid

The first raid on Allamova's home took place on 4 January 2013, and was led by Shukhrat Masharipov, Chief of the police Criminal Investigation Department (CID). The same day at 11.30 am she was invited to the local mahalla committee, where she was detained by police. Mahalla committees are the lowest level of administration, and restriction of freedom of religion or belief is among their many duties (see eg. F18News 27 March 2007 http://www.forum18.org/Archive.php?article_id=936).

Police questioned Allamova about her exercise of freedom of religion and belief for about an hour, after which they took her to her home. The Police then conducted an unauthorised – and so illegal – search of her home. They confiscated three Christian books, two DVD discs of a Christian film and a sermon, and a video-tape of a film called "Life in the Church".

At 2.00 pm police then brought Allamova to Urgench Police Station, where she was questioned by Officer Zhavlon Davletov. He "put psychological pressure" on her, and told that unless she wrote a statement she will be arrested and criminal charges brought against her. She was eventually released at 10.30 pm, after being detained for 11 hours.

Second raid

12 days later on 16 January at 5.00 pm, seven police officers, again led by CID Chief Masharipov but this time also with police Investigator Lieutenant M. Shamuradov, "broke in" to Allamova's home, Protestants complained to Forum 18. This time the police showed Allamova a search warrant, authorised by Urgench Prosecutor Magsudbek Ollaberganov. The police also brought the Chair of the mahalla committee and his Secretary. However, the police did not find any religious materials in Allamova's home.

"Banned books"?

CID Chief Masharipov told Forum 18 on 29 January that police "had sent the religious books for 'expert analysis', and handed the case under Criminal Code Article 244-3 to the Court." He refused to give more details to Forum 18, but claimed the police found "banned books" in Allamova's home. Asked what Christian books are banned in Uzbekistan, he could not say.

Contradicting his previous claim, Masharipov then told Forum 18 that "if the 'religious expert analysis' finds the books are not banned, we will return them to her." Such alleged "expert analyses" are routinely used as an excuse to confiscate any book the authorities decide to confiscate (see eg. F18News 20 May 2009 http://www.forum18.org/Archive.php?article_id=1298)

Asked why the authorities keep pressuring and punishing Allamova, and whether the authorities want her to stop practicing her Christian faith or reading Christian books, Masharipov listened to the questions and paused for a moment. He then put the phone down. Subsequent calls to him went unanswered.

Officials of Urgench Prosecutor's Office refused to put Forum 18 through to Prosecutor Ollaberganov on 30 and 31 January. They also refused to say why they approved searches of Allamova's home. On 30 January one official (who did not give his name) asked Forum 18 to call back the next day. Called on 31 January, another official (who also did not give his name) asked Forum 18 to wait on the line for several minutes and then put the phone down. Subsequent calls went unanswered.

Large fines

Judge Ikrom Obidov of Tashkent Region's Bostanlyk District Criminal Court on 24 December 2012 fined four Protestants for leading a meeting for worship of about 80 fellow-believers. The four church members - Gennady Chen, Vladimir Zhikhar, Aleksandr Lokshev and Gennady Timoyev – were each fined 50 times the minimum monthly wage or 3,979,500 Soms (11,000 Norwegian Kroner, 1,500 Euros, or 2,000 US Dollars at the inflated official exchange rate).

The judge fined the four under Administrative Code Article 240 ("Violation of the Religion Law") Part 1. This bans: "Carrying out of unauthorised religious activity, evasion by leaders of religious organisations of registration of the charter of the organisation, the organisation and conduct of worship by religious ministers and of special children's and youth meetings, as well as vocational, literature and other study groups not relating to worship". Punishments range from fines of 50 to 100 times the minimum monthly salary to up to 15 days in jail.

The fines followed a 1 December 2012 police raid on a group of about 80 Protestants on holiday together. Charges under six different articles of the Code of Administrative Offences were brought against four of the group, who were meeting together discussing their faith and singing Christian songs. Police confiscated three Bibles and 100 Christian songbooks, insulted the group, and took their fingerprints of all present. People must worship "only in registered places specifically set up for religious purposes", police insisted to Forum 18(see F18News 17 December 2012 http://www.forum18.org/Archive.php?article_id=1783).

Judge Obidov claims in his decision, a copy of which Forum 18 has seen, that police had established that the four Protestants

"conducted a religious meeting for sixty citizens". He also claimed, without specifying details, that the confiscated literature in Uzbek could be used for missionary activity.

Article 5 of the Religion Law states that: "Actions aimed at attracting believers of one confession to another (proselytism) are forbidden, as is other missionary activity." Administrative Code Article 240 ("Violation of the Religion Law") Part 2 bans "attracting believers of one confession to another (proselytism) and other missionary activity". Punishments are fines of between 50 and 100 times the minimum monthly salary, or being jailed for up to 15 days.

Asked about the case a Bostanlyk Court official (who did not her name) told Forum 18 on 29 January that Judge Obidov was "not available". Asked why the four Protestants were fined, she asked "What do you want?" and then put the phone down.

Christmas Bible destruction order

Judge Obidov with the same decision also ordered the destruction of the two confiscated two Bibles, three notebooks with notes on religious matters in them, and another Christian book. "At Christmas, 24 December 2012, Judge Obidov of Bostanlyk District Court signed the verdict to destroy the Bibles confiscated during the police raid on 1 December, despite the fact that the Bible is officially recognised by Uzbekistan's Religious Affairs Committee," one local Protestant lamented to Forum 18.

(Protestants in Uzbekistan normally begin Christmas celebrations on 24 December.)

Courts routinely order religious literature confiscated during police or National Security Service (NSS) secret police raids to be destroyed, including Muslim, Christian and Jehovah's Witness literature. Courts often order such destructions on the basis of "expert analyses" by the government's Religious Affairs Committee which deem such books or magazines to be "harmful", "extremist", or "illegal" (see eg. F18News 17 September 2012 http://www.forum18.org/Archive.php?article_id=1743).

Appeal

The four Protestants have appealed against Judge Obidov's decision to Tashkent Regional Court. The appeals are due to be heard on the morning of 4 February. "They have not paid the fines yet, and still hope that the first verdict will be revoked," Protestants told Forum 18.

Different appeal against same judge's fine and literature destruction rejected

Meanwhile, on 10 December 2012 Judge Bakhtiyor Miralimov of Tashkent Regional Criminal Court rejected the appeal of Vadim Shim, a member of an unregistered Protestant Church in Bostanlyk District. Shim had been seeking to overturn the large fine given to him by the lower court a month earlier.

On 9 November 2012, Judge Obidov – who later ordered the Christmas Bible destruction - had fined Shim 100 times the then minimum monthly wage for allegedly illegally distributing religious literature, and books including Bibles and New Testaments were been ordered to be destroyed. Legal procedures were violated, the official who produced "expert analyses" allegedly managing to within one working day read 1,300 books, 2,100 brochures, 450 leaflets, 50 magazines, watch 200 videos, and listen to 350 audio cassettes. "This beats the Guinness Book of Records", a local Protestant observed to Forum 18 (see F18News 29 November 2012 http://www.forum18.org/Archive.php?article_id=1773).

Fabricated case

Protestants familiar with the case complained to Forum 18 that in upholding the fine, Judge Miralimov ignored proof presented to the Court that the case had been fabricated. Among many violations, the Protestants pointed out that the "witnesses in the case are fictitious, while one of them is even on the police wanted list". They also complained that Judge Obidov invited to the hearing "an uneducated person" to act as translator into Russian.

Elkhom Tagayev of the Court Chancellery said that Judge Miralimov "will not make any comments" on the decision. "If Shim is not satisfied, he can still challenge our decision," he insisted to Forum 18 on 31 January. Asked why religious believers cannot keep their religious books or films, and why this is so strictly controlled and punished, Tagayev refused to comment.

At least 34 fines in 2012

Frequent targets of raids and fines are congregations of the Baptist Council of Churches, who refuse on principle to seek registration with the state. At least 34 of their members – 21 men and 13 women – were fined to punish them for their religious activity across Uzbekistan in 2012, they told Forum 18, citing "incomplete figures". (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=1862.

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.

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