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UZBEKISTAN: Religious books "only allowed to be read within registered religious communities' buildings"

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

In two separate cases on the same day in August in Samarkand and Kashkadarya, fines on 20 religious believers for "illegal religious literature" totalled the equivalent of nearly 68 years' official minimum wage, Forum 18 News Service has learnt. In the Samarkand case, the judge ordered the confiscated literature – including the New Testament and the Pentateuch – destroyed. Uzbekistan's courts routinely order destroyed Muslim and Christian literature. Begzod Kadyrov, Chief Specialist of the government's Religious Affairs Committee, insisted to Forum 18: "Those are court decisions and the courts are independent from us." Asked why such penalties are handed down, and why individuals cannot carry their religious books like the Koran or Bible with them, Kadyrov responded: "According to the Religion Law, religious books are only allowed to be read within registered religious communities' buildings."

Begzod Kadyrov, Chief Specialist of the Uzbekistan government's Religious Affairs Committee in the capital Tashkent, has defended the widespread fines handed down to individuals after religious literature is confiscated from them. Asked by Forum 18 News Service on 10 September why such penalties are handed down, and why individuals cannot carry their religious books like the Koran or Bible with them, he responded: "According to the Religion Law, religious books are only allowed to be read within registered religious communities' buildings."

In two separate cases in August known to Forum 18, administrative fines on 20 religious believers in Samarkand [Samarqand] and Kashkadarya for "illegal religious literature" totalled the equivalent of nearly 68 years' official minimum wage.

Told about the vast number of fines and penalties in Uzbekistan for "illegal religious literature" – including these two cases - Kadyrov declined to comment. "Those are court decisions and the courts are independent from us."

Asked whether the purpose of the Religious Affairs Committee is not to help religious communities and individual believers, and why the Committee will not initiate positive changes to the harsh Religion Law, Kadyrov claimed to Forum 18: "No one from the communities has complained to us [about the Law or the penalties]. We cannot just act on the basis of articles published on the internet."

Kadyrov would not discuss his Committee's "expert analyses" of religious literature, on the basis of which numerous religious works – including Muslim and Christian literature – are ordered destroyed by the courts.

Tight censorship

The Uzbek government has imposed tight compulsory prior censorship of all religious literature, including works printed in the country, imported into the country, and already published and in the possession of individuals and religious communities (see Forum 18 Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

In July, the government ordered the Religious Affairs Committee and other state bodies to prepare new procedures for enacting the state censorship of all religious literature imported into Uzbekistan. In addition to existing censorship of all printed religious literature, the government also blocks access to religious websites.

In recent years, Muslims and Christians have repeatedly told Forum 18 that they know of many cases where their fellow-believers have removed religious literature from their homes for fear of punishment.

"Illegal literature" fines in Samarkand

On 23 August Judge Bobyr Abduvahidov of Samarkand District Criminal Court, with a decision seen by Forum 18, fined 11 Protestants – 6 women and 5 men – under Administrative Code Article 184-2 for illegal storage and distribution of religious literature.

Article 184-2 punishes: "Illegal production, storage, or import into Uzbekistan with a purpose to distribute or distribution of religious materials by physical persons". Punishments are 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".

Each of the women – Aziza Kamalova, Shahnoza Ibrahimova, Farida Hojiyeva, Zilola Hojayeva, Obida Nazarova, Zilola Fattoyeva – was fined 20 times the minimum monthly wage or 1,591,800 Soms. Each of the men – Gulshan Kamolov, Zokirzhon Rizoyev, Damir Hojayev, Eldor Muzapparov as well as Aleksandr Tarasyuk – was fined 25 times the minimum monthly wage or 1,989,750 Soms.

Tarasyuk, a Ukrainian citizen, may also be deported, a Protestant from Samarkand, who for fear of state reprisals wished to remain unnamed, told Forum 18.

Ilhom (he refused to give his last name), Assistant to Judge Abduvahidov told Forum 18 from the court on 10 September that the Judge "cannot speak to Forum 18 directly and needs me to interpret for him." Defending the fines Judge Abduvahidov through Ilhom told Forum 18 that the police found in the defendants' possession books "banned in the territory of Uzbekistan". Asked specifically which books are banned, he did not say.

Asked why individuals cannot take their religious books with them to where they have recreation, and why the authorities must follow them where they go, Judge Abduvahidov responded: "They had many children with them." Asked what is wrong with resting together with children, he claimed: "They had children there who were not their own, and taught them religion illegally."

Fines follow children's camp raid

The fines followed the raid on a children's camp near Samarkand in which the eleven Protestants were participating. Raiding the camp on 23 July were 80 officials including officers from the National Security Service (NSS) secret police and regular police, 30 of whom wore police uniforms and 20 in black OMON riot police uniforms.

Officials confiscated two laptop computers, four mobile phones, an electric guitar, an overhead projector, a camera, one sound amplifier, one speaker, one microphone, an internet modem, four memory chips, as well as two New Testaments in Uzbek, 10 private notebooks, and four posters.

Officials also confiscated materials from the private homes of four of the eleven Protestants: Hojaev, Muzapparov, Hojaeva and Kamalov. Confiscated altogether from the four homes were 117 Christian books, including 2 Russian-language Bibles, 5 Uzbek-language New Testaments and other books in Uzbek, Russian and English as well as one laptop, two desktop computers and a photocopier (see F18News 9 August 2013 http://www.forum18.org/archive.php?article_id=1863).

They are Jehovah's Witnesses, "which is a sect"

Olim Nurmukhamedov, Chief of Samarkand District Anti-Terrorism Police, who led the raid, adamantly defended the raid and fines. "We seized prohibited religious literature from them," he told Forum 18 on 9 September. However, he could not say exactly which of the confiscated books are banned in Uzbekistan and which agency had banned them.

"You know they are not Christians but Jehovah's Witnesses, which is a sect," he insisted to Forum 18. Told that the fined Protestants are not Jehovah's Witnesses, and asked why Police and NSS secret Police should disturb the holiday of the community, be it Protestants or Jehovah's Witnesses, he did not answer. He also did not say who ordered the raid. He declined to talk further, asking Forum 18 to send questions in writing.

Religious materials ordered destroyed

In the same decision, Judge Abduvahidov ordered the destruction of all the Christian books and other religious materials confiscated from the Protestants, including the New Testaments and Pentateuch (the first five books of the Old Testament) in Uzbek. However, the Judge ordered the confiscated computers, mobile phones and other equipment to be forfeited "for the benefit of the State".

The Protestant complained to Forum 18 about the destruction and lamented that the fines total 19,499,550 Soms (55,000 Norwegian Kroner, 6,900 Euros or 9,100 US Dollars at the inflated official exchange rate), which is "a huge amount."

"Passports will be returned after payment of fines"

The Police confiscated all eleven Protestants' passports, and told them that the passports would be returned only after they paid the fines. "And they gave us 10 days to do so," the Protestant told Forum 18.

Sahib Ravshanov, Chief of Samarkand Regional Anti-Terrorism Police, declined to comment on the raid. "I need to look at the

materials," he told Forum 18 on 9 September, asking it to call back in a couple of days. Asked why Police are still holding back the passports of some of the defendants, he claimed that the "Court is holding back the passports until they pay the fines," and that this is the "procedure in administrative fines."

In contrast to Officer Ravshanov, Judge Abduvahidov denied to Forum 18 that passports can be withheld until payment of fines. "Police took their passports together with the confiscated materials and submitted them to the court," he pointed out. Asked why then the court did not return the passports to their owners, the Judge claimed: "Those who came already received their passports but those who did not come did not yet get them back." He also claimed that this "has nothing to do with the payment of the fines."

However, the Protestant who spoke to Forum 18 said that "it is true some recently received their passports back, but it was because they paid their fines." He said that "the others still do not have their passports returned, since they have not paid the fines."

Judge Abduvahidov insisted to Forum 18 that it is "lawful for the Police to seize passports within an administrative case." However, he could not tell Forum 18 where exactly in the Law this prescribed. He further declined to answer questions, asking Forum 18 to send further questions in writing.

"Illegal literature" fines in Karshi

On 23 August, Judge Otabek Mustafayev of Kashkadarya Region's Karshi [Qarshi] City Criminal Court fined nine members of a local unregistered Baptist Church for illegal storage and use of religious literature under Administrative Code Article 184-2, Baptists from the region told Forum 18 on 5 September.

Six of the Baptists each received fines of 60 times the minimum monthly wage or 4,775,400 Soms. They are Ruzimurod Khonov, Utkir Karimov, Anvar Karimov, Utkir Choriyev, Roziya Usmanova and Obid Abdullayev.

Three of the Baptists, Mikhail Balykbayev, Viktor Tashpulatov and Munira Gaziyeva, were also convicted under Administrative Code Article 240, Part 1 for allegedly leading unregistered religious activity. They were each fined 70 times the minimum monthly wage or 5,571,300 Soms.

The Baptist complained to Forum 18 that the fines are "enormous" and lamented that the fines totalled 45,366,300 Soms (126,000 Norwegian Kroner, 16,000 Euros or 21,300 US Dollars at the inflated official exchange rate). The Baptists said that they will file appeals, seeking the "cancellation of the unjust court decision and return of the confiscated materials".

Asked why he handed down such heavy penalties, Judge Mustafayev insisted to Forum 18 on 10 September: "The fines are within the prescribed limits of the Law's provisions." Told that the defendants, four of whom also have disabilities, cannot afford to pay such fines, he responded: "They must register their religious activity, and submit to the Law."

Told that members of Council of Churches Baptist congregations do not in principle register their communities as they consider registration interference of the state in their internal affairs, and asked whether the penalties will be harsher - including imprisonment - if the Baptists are found again breaking the Religion Law, Judge Mustafayev declined to say.

"Open hearing"?

Baptists complained to Forum 18 that though it was supposed to be an "open hearing", other church members were not allowed in while the court was trying "our brothers and sisters, four of whom have a hearing and speaking disability."

Judge Mustafayev adamantly denied this. "Whoever wished to participate came," he claimed to Forum 18. He described the Baptists' statement as a "provocation."

Fines follow raid

The fines followed the 23 June raid on the Baptists' Sunday worship meeting by Police and other officials. The Baptists told Forum 18 that the officials "disrupted the meeting and confiscated 27 Christian books, DVD discs and other religious materials as well as the money box with offerings in cash, two fans, and the sound system with two speakers and one microphone, which were used for the worship meetings."

Judge Mustafayev's decision reads that according to the 24 June "expert analysis" by the government's Religious Affairs Committee, the confiscated books and leaflets in Uzbek and Kyrgyz languages "are intended for the purpose of missionary activity and therefore their import into, use and distribution in the territory of Uzbekistan is banned", Baptists complained to Forum 18.

Fabricated statements?

Baptists also complained that during the hearing some statements allegedly made by the defendants were referred to, though "none

of the believers was questioned" by the Police. "Automatically a question arises: who wrote these statements and when?" asked the Baptists. "They found out that a case had been brought against them only from the summons to the Court."

Judge Mustafayev admitted that "it is true that those who are deaf did not write any statements". But he claimed to Forum 18 that "their words were recorded through interpreters during the raid."

More raids, confiscations

The same Judge Mustafayev fined another Baptist, Svetlana Andreychenko, in May. The fines followed an April raid on her home, where the congregation meets for worship (see F18News 11 July 2013 http://www.forum18.org/archive.php?article_id=1857).

Andreychenko's home was again raided by NSS secret police and ordinary police officers on 15 and 23 June. During these raids, officers confiscated religious literature, Church equipment and money. On 30 July, Karshi City Court bailiffs came and confiscated from her home her private property and church property (see F18News 18 September 2013 http://www.forum18.org/archive.php?article_id=1878).

As with the other actions of the authorities, Judge Mustafayev again defended the confiscations. "The Police need to confiscate materials for evidence, and the Bailiffs seize property in proportion to the unpaid fines."

"Illegal literature" fines upheld

Meanwhile, Judge T. Safarov of Tashkent Regional Criminal Court on 27 July upheld in separate cases huge fines given to four Protestants from the region's Urtachirchik District. Dilorom Buriyeva, Gulchohra Mambetova, Turdihon Azizova and Jura Toshmatov were each fined between 50 and 70 times the minimum monthly wage by the District Criminal Court for violating Article 184-2 of the Code of Administrative Offences (see F18News 19 July 2013 http://www.forum18.org/archive.php?article_id=1859). (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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