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UZBEKISTAN: Amnesty for jailed Koran verses and sermon "smuggler"?

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

Zuboyd Mirzorakhimov, a Tajik citizen, may have been amnestied after serving 87 days of a five year jail term for "smuggling" Koran verses and a sermon into Uzbekistan, Forum 18 News Service. His "offence" was to have the verses and Uzbek-language sermon on his mobile phone without declaring this to Uzbek customs officials. Mirzorakhimov was on a business visit to South Korea via Uzbekistan when he was arrested. Despite an official claim to Forum 18 that he has been amnestied, his father-in-law told Forum 18 today (16 December) that "we hope that he was amnestied but still do not know whether or not he was". Uzbekistan is preparing regulations to formally implement censorship of imported religious literature, but they appear to have dropped behind schedule. Censorship of all religious literature routinely happens despite violations of published law. In another case, Ravshan Gulomov was given a five year jail term in November for propagating Shia Islam with imported Iranian literature.

Two Muslims with foreign connections have been given prison terms in Uzbekistan. One – Zuboyd Mirzorakhimov, a Tajik citizen – was given a five year prison term, apparently after customs officials found recordings of Koran verses and a sermon in Uzbek in his mobile phone, a relative told Forum 18 News Service on 16 December. A court official hinted to Forum 18 that Mirzorakhimov was included in the prisoner amnesty approved on 12 December. However, this has not been confirmed and his family today (16 December) still have no knowledge of his whereabouts. Officials accused him of distributing unauthorised Shia Muslim literature, possibly imported from Iran. The other – Ravshan Gulomov, a Shia Muslim with connections to the Iranian Embassy – was given a five year sentence in the central Samarkand [Samarqand] Region

The sentences come as Uzbekistan is preparing specific regulations for the compulsory prior censorship of all religious literature imported into the country (see below).

Imprisoned for Koran verses and a sermon in mobile phone

Zuboyd Mirzorakhimov, a 37-year-old Muslim who is a Tajik citizen, was arrested on 20 September by Uzbekistan while he was crossing the border from Tajikistan in Tashkent Region's Bekabad District. Kolmurod Mirzorakhimov, Mirzorakhimov's father, told Tajik news agency Asia-Plus on 18 October that his son had been engaged in business for five years. His son was on his way to South Korea via Uzbekistan, when he was stopped on the border by Uzbek customs officials. They then handed him over to the Uzbek National Security Service (NSS) secret police. "He told us over the phone that he was arrested because officials found verses of the Koran recorded in his mobile phone," Mirzorakhimov told Asia-Plus. "It is unclear to us what the crime of our son is."

The father added that "Now, we don't know what to do. He has three small children, and they are asking where their father is every day. His wife is also worried."

In a hearing presided over by Judge Kh. Rakhmanov, Bekabad District Criminal Court on 30 October tried Mirzorakhimov for the "offence" of not declaring recorded verses of the Koran in his mobile phone and a sermon in the Uzbek language to Customs officers. He was charged under Criminal Code Article 246, Part 1 ("Smuggling, that is carriage through the customs border .. without the knowledge of or with concealment from customs control .. materials that propagandise religious extremism, separatism, and fundamentalism").

Abdujabbor Aliyev, Zuboyd Mirzorakhimov's father-in-law, told Forum 18 on 16 December from the Tajik capital Dushanbe that Tajik Embassy officials at the hearing told the family that not declaring the Koran verses and the sermon were the only "offences" Mirzorakhimov was accused of.

The Court sentenced Mirzorakhimov to five years' imprisonment in a general regime labour camp. Such a harsh sentence is normal for Muslim Uzbek citizens convicted of exercising their freedom of religion or belief (see eg. F18News 26 November 2013 http://www.forum18.org/archive.php?article_id=1900).

Tajik Foreign Ministry officials told Forum 18 on 11 December that Tajikistan has received no response to requests for information

about Mirzorakhimov's prosecution.

Sarvar Abdurasulov, Assistant to the Chair of Bekabad District Court, insisted to Forum 18 on 13 December that the Court "correctly described his actions and thus convicted him". He refused to give more details, asking Forum 18 to send an official letter.

Uzbekistan imposes tight state censorship on all religious materials and literature, including that imported into the country (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Amnestied or not?

Abdurasulov of Bekabad District Court hinted that Mirzorakhimov may have been amnestied. "He was penalised for his actions, but because of our government's humaneness, an amnesty was announced [on 12 December]," he said. Asked about the exact time of Mirzorakhimov's release, he stated that Forum 18 must send an official letter.

As of today (16 December) Mirzorakhimov has been in detention for 87 days. His father-in-law Aliyev told Forum 18 today (16 December) that "we hope that he was amnestied but still do not know whether or not he was". The Tajik Embassy in Uzbekistan has no information.

"Legal" procedures for foreign religious literature

In July, the Uzbek government ordered the Religious Affairs Committee, Justice Ministry, Culture and Sport Ministry, and Publication and Information Agency to prepare new procedures for state censorship of all imported religious literature. This codifies existing procedures, as the Post Office routinely opens parcels of religious books and magazines sent from abroad, sending examples to the Religious Affairs Committee who decide whether to destroy the literature or return it to the sender. This applies to literature of all faiths and beliefs, and a Customs inspector has told Forum 18 that 80 to 90 per cent of all imported or posted religious literature confiscated is Muslim (see F18News 27 October 2011 http://www.forum18.org/archive.php?article_id=1630).

The new Procedure for Conducting Expert Analysis of Religious Literature Published Abroad was supposed to be ready for approval in the last quarter of 2013, according to the government's legal website. The Procedure is required to formally implement Article 19 of the 1998 Religion Law, which requires such a procedure for the government's routine "expert analyses" of imported literature to be legal. But the absence of such a procedure since 1998 has not stopped censorship, and "expert analyses" of confiscated literature within the country are often conducted in breach of published law (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

A 2 October Cabinet of Ministers instruction – reproduced on the government's legal portal – noted that the "Expert Group" preparing the new Rule was due to have presented the final draft to the Cabinet of Ministers by 1 December. The Expert Group was to have "studied the foreign experience of the legal regulation of the procedure for conducting expert analysis of religious literature published abroad" and to have "agreed the draft with interested ministries and agencies" (which are not identified).

However, it does not appear that the government's timetable has been met. Asked what progress there has been, a Religious Affairs Committee official (who would not give his name) on 16 December referred Forum 18 to Begzod Kadyrov, the Committee's Chief Specialist. Kadyrov categorically refused to answer questions on what progress there has been and what foreign experience they looked at. After each question he repeated "we will answer only by email" and then put the phone down.

Five year sentence

Ravshan Gulomov, a Shia Muslim who chaired the Uzbekistan-Iran Friendship Society's Samarkand branch, was imprisoned in November for distributing Shia religious materials among the region's population, Forum 18 has learned. A Samarkand Court handed down a five year prison term, officials of the Iranian Embassy in Tashkent told Forum 18 on 5 December.

Uzbekistan's small Shia community has long faced tight restrictions, and virtually all those attending Shia mosques are members of Uzbekistan's ethnic Iranian community. The Iranian government has given Uzbek Shia Muslims significant help, such as funding the restoration of Samarkand's Panjob mosque (see F18News 27 April 2004 http://www.forum18.org/archive.php?article_id=307).

The freedom of religion or belief of all Uzbekistan's Muslims – whether or not they are Shia – is severely restricted (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

No comments

Officials of Iran's Foreign Ministry in Tehran declined to discuss the case on 6 December, referring Forum 18 to the Uzbek authorities.

Shukhrat Kulmatov, Deputy Head of Samarkand Regional Administration, who oversees religious affairs in the Region refused to

answer Forum 18 on 11 December when asked why Gulomov imprisoned and whether the propagation of Shia Islam was banned. Subsequent calls to him and his Department went unanswered on 11 December.

Tulkun Kodyrov, Chair of Samarkand City Criminal Court, told Forum 18 on 12 December that "I cannot share any information on that case, because I am not authorised to do so." He asked Forum 18 to send an official letter.

Zafar Fayziyev, Deputy Chair of Samarkand Regional Court, claimed to Forum 18 that Gulomov was punished not for his religious activity but for "something else." Told that Uzbekistan's TV channels and media, as well as the Iranian embassy in Tashkent, said that Gulomov was punished for his religious activity, Fayziyev responded: "Well, that's what the media says." Asked what exactly the charges against him were, Fayziyev refused to say. "Send us an official letter," was his response.

Dilshodkhon Bobojonov, Head of the International Relations Division of the Religious Affairs Committee, told Uzbek TV on 20 November that "taking into consideration that 90 per cent of Uzbekistan's population (..) are Sunnis," Gulomov's spreading of Shia beliefs "may cause conflicts across the country." He then claimed that Uzbekistan's Religion Law "prohibits the distribution among people" of the literature.

Asked why by Gulomov was imprisoned, and whether the propagation of Shia Islam was banned in Uzbekistan, Dilshodkhon refused to say on 13 December. He asked Forum 18 to call back in 20 minutes saying that "I am busy in a meeting." Subsequent calls on 13 December went unanswered. On 16 December, an official of the same Division (who would not give his name) told Forum 18 that he cannot state whether or not the distribution of Shia literature is banned in Uzbekistan, and that Babajanov is not available to talk.

Media attacks

In a special report "Totuvligimizga Tahdid" (Threat to our Peace), broadcast on 20 November, the state-sponsored Ozbekiston TV station reported on Gulomov's arrest. It said he was "sentenced to five years in prison for proselytizing [among local Uzbeks] and spreading Shia beliefs".

The TV channel reported that Gulomov allegedly "received money and religious literature from the Iranian Embassy," and distributed this money and literature "among Shia imams for propagation of their religion". The imams it named were Fakhridin Husainov, Botyrali Mirzayev, Tohir Mustafoyev, Parda Azimov and Alisher Madhasanov, Imams of Panjob and Murod-Avliyo Mosques in Samarkand Region.

The programme broadcast footage of what it claimed were searches in the homes of Gulomov and his acquaintances. It claimed police found and confiscated "as many as 464 Shia books, 407 leaflets, 135 pamphlets, 254 CDs and three laptop computers containing recordings of Shia preaching and 24 rounds of ammunition."

Curiously, the alleged finding of ammunition has not featured in legal charges.

Gulomov and his associates were "striving to increase their ranks by propagating Shia ideology in Samarkand and later Jizzakh regions. As a result, they managed to increase the number of Shia Muslims by six or seven-fold in Samarqand Region."

The 12uz state-sponsored internet news outlet on 21 November made the same accusations, but did not say anything about the alleged ammunition. It blamed Iranian diplomats working in Uzbekistan, alleging that their "efforts to distribute illegal religious literature in the territory of Uzbekistan are against the provisions of the Vienna Convention on Diplomatic Relations." (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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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY