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UZBEKISTAN: Another jailing, large fines for meeting upheld, more confiscations

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

Igor Kulyada, a Baptist from Uzbekistan's capital Tashkent, was jailed for three days from 3 to 6 July, Forum 18 News Service has learned. His offence was to put up in public leaflets with verses from the Bible. Some of his property was ordered to be destroyed and a fine was also imposed on him. Asked why she had done this, Judge Nilufar Dadabayeva told Forum 18 that "I need to ask my superiors before I can give you information". In Syrdarya Region four Baptists have been fined 50 times the minimum monthly salary, four Baptists 20 times the minimum monthly salary and one Baptist has been fined 10 times the minimum monthly salary. The "offence" of all nine was to meet together to worship and share a meal on Palm Sunday. Protestants in the central city of Karshi have complained of an illegal raid and house search against one of their co-believers and intrusive questioning of relatives about her. Local police officer Olim Gulomov put his phone down as soon as he heard Forum 18's name. And state confiscations of the property of Baptists in Samarkand continue to be carried out.

Uzbekistan continues to impose penalties on people whose only "offence" is to exercise their right to freedom of religion or belief, using short-term jail terms, fines, confiscation and destruction of religious literature and other material, raids on and searches of private homes, intrusive state questioning and surveillance of people, and confiscations of private property.

Baptist detained for three days

Igor Kulyada, a member of an officially registered Baptist Church in the capital Tashkent, was jailed for three days from 3 to 6 July, Baptists who wished to remain anonymous for fear of state reprisals told Forum 18 News Service on 22 July. He was stopped at 1 pm on 27 June in the Uchtepe District by Police Lieutenant I. Hoshimov while putting up posters with verses from the Bible. On 3 July Judge Nilufar Dadabayeva of Uchtepe District Court imposed three days' detention on him, under Article 240, Part 1 of the Code of Administrative Offences ("Carrying out of unauthorised religious activity, evasion by leaders of religious organisations of registration of the charter of the organisation, and the organisation and conduct of special children's and youth meetings, as well as vocational, literature and other study groups not relating to worship").

In the verdict, which Forum 18 has seen, she also ordered that Kulyada be fined 43,245 Soms (about 115 Norwegian Kroner, 14 Euros, or 19 US Dollars at the inflated official exchange rate) and that one memory stick, one CD disk with Christian materials, and 24 leaflets with Bible verses confiscated from Kulyada be destroyed.

Short-term detention of between 3 and 15 days is irregularly used against Protestants, Jehovah's Witnesses and Baha'is, in contrast to the long-term jailings routinely used against Muslims. Courts frequently order confiscated religious material – including Muslim, Christian and Jehovah's Witness literature – to be destroyed (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Judge Dadabayeva told Forum 18 on 23 July that "if he has anything against it he can challenge our decision in a higher court". Asked why Kulyada's property was ordered to be destroyed and why a fine was also imposed, she replied that "I need to ask my superiors before I can give you information on this case over the phone". She asked Forum 18 to call back the next day, but when rung back her Assistant (who refused to give his name) said that she is not available for comments.

Large fines for meeting for worship upheld

On 1 July Judge B. Boboyev in the eastern Syrdarya Region's regional Criminal Court upheld large fines imposed on local Baptists, a person who wished to remain unnamed for fear of state reprisals told Forum 18 on 22 July. The fines had followed a raid on meeting for worship and a meal of a local Baptist Church on the evening of 13 April, Palm Sunday. The congregation is one of many that does not have state registration but which belongs to the state-registered Baptist Union (see F18News 9 May 2014 http://www.forum18.org/archive.php?article_id=1957).

The appeal verdict, a copy of which Forum 18 has seen, upheld the fines imposed on 4 June by Judge Zafar Nazarov of Syrdarya

District Criminal Court. The Judge fined nine Baptists for the "offence" of meeting together:

- Andrey Shevchenko, Konstantin Malchikovski, Sergei Kozin and Sergei Yermakov were each fined 50 times the minimum monthly salary or 4,805,250 Soms (about 12,500 Norwegian Kroner, 1,500 Euros, or 2,100 US Dollars) under the Administrative Codes' Article 240 Part 1 and 241 ("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");

- Oleg Buzakov, Viktor Krylov, Stanislav Shegai, and Aleksandr Kolomeytsev were each fined 20 times the minimum monthly salary or 1,922,100 Soms each (about 5,200 Norwegian Kroner, 615 Euros, or 840 US Dollars) under Article 240 Part 1;

- and Nadezhda Matrosova was fined 10 times the minimum monthly wage, or 961,050 Soms (about 2,500 Norwegian Kroner, 300 Euros, or 400 US Dollars) under Article 240 Part 1.

The appeal verdict notes that the April raid was carried out by Syrdarya Police's Criminal Investigation and Struggle against Organised Crime Divisions who found that Shevchenko, Malchikovski, Kozin and Yermakov "illegally taught religion" to "15 adults and between 10 and 15 children." Shevchenko told the Court that "no one was teaching religion" but they "only gathered to eat pilaf together and celebrate Jesus Christ." Police had earlier told Forum 18 that they were acting on an "instruction from above" (see F18News 9 May 2014 http://www.forum18.org/archive.php?article_id=1957).

When asked about the case officials (who refused to give their names) of the Court Chancellery told Forum 18 on 23 July that Judge Nazarov is "on holiday." They refused to comment on the case.

"Mahalla community vigilance"

The nine Baptists and Shevchenko in particular were also attacked by the local newspaper "Syrdarya". An author under the name R. Islomov wrote an article published on 12 July with the title "Mahalla community vigilance". The names of all nine Baptists were given, and Shevchenko's alleged "illegal missionary activity" was attacked. The author claimed that the raid followed "written complaints by a group of active members of the mahalla" and ended with the injunction "Citizens, be watchful!"

Mahalla committees [local residential administrations] are a key part of the state's apparatus of repression (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862). Powers recently formally given to mahalla committees "legalises unofficial informers" a legal expert from Tashkent has noted to Forum 18 (see F18News 4 July 2014 http://www.forum18.org/archive.php?article_id=1974).

Illegal raid and search

On 11 July in the central city of Karshi [Qarshi] six uniformed police officers raided the private home of Gulzhahon Kuzebayeva, a local Protestant, even though she was not at home. Police conducted an illegal search, for which they had no search warrant, "for religious materials or a religious meeting but found nothing" Protestants who wish to remain anonymous for fear of state reprisals told Forum 18 on 18 July.

Relatives present in Kuzebayeva's home were questioned by police officers Olim Gulomov, Bakhtiyor Babayeva and Javlon Sharipov, "who did not answer when they were asked on what legal authority they broke in and made the search".

Police behaved in what was described as an insulting manner and questioned relatives about where Kuzebayeva was, how she made a living, who her friends and acquaintances are, and other information on her and her relatives. Local people described this as "an unlawful interference in her private life and an attack on her honour and reputation".

A woman's honour is a culturally extremely important and sensitive matter in Uzbekistan. Possibly for this reason, women seem to be particularly targeted for torture and threats by male officials (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Local Protestants have noted that local police officer Gulomov "keeps collecting information on Kuzebayeva from her various friends and acquaintances, and keeps them under constant pressure". Protestants commented that it would appear that the police "are making attempts to falsify a case against her".

Officer Gulomov put his phone down on 23 July as soon as he heard Forum 18's name. Subsequent calls to him on the same day went unanswered. Karshi police officers on 23 July claimed that none of the other officers who identified themselves in the raid worked for the police.

Covert and open state surveillance is carried out against members of all religious communities (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=1862).

Yet more confiscations

In the latest set of confiscations experienced by Lyubov Lyubivaya and married couple Alisher Abdullayev and Oksana Abdullayeva in the central city of Samarkand [Samarqand], court bailiffs Sadriiddin Salahuddinov, Mamur Yuldashev and several others on 10 and 11 June confiscated private property from the homes of the three. All of them are members of the city's Baptist Church belonging to the Council of Churches Baptists. These churches refuse to seek state registration, or permission to exist, in the countries they operate in.

On 10 June the bailiffs told Lyubivaya that they were taking her property for an unpaid fine imposed on her in 2012 for her "illegal religious activity". They then gave her a copy of the confiscation report.

On 11 June the same bailiffs broke into the home of the Abdullayev family by "climbing over the wall, as Oksana refused to open the gate for them because her brother Alisher was not at home", local Baptist Veniamin Nemirov stated. The bailiffs told Abdullayeva that the confiscations they made in March were not enough to cover the fine given to them in 2012.

The latest confiscations follow earlier confiscations – which were illegal even under Uzbekistan's "legal" system – following large fines imposed on Nemirov, Abdullayev and Lyubivaya in 2012. The latest confiscations also followed other raids and fines on Nemirov and other Baptists for meeting together for worship without state permission (see F18News 9 May http://www.forum18.org/archive.php?article_id=1957).

Two mobile phones, a carpet, an oil heater, and a petrol-powered electric generator were confiscated from Lyubivaya's home, and two carpets and two sheets of iron for making cooking pots were confiscated from the Abdullayevs' home.

Nemirov stated that the bailiffs "threatened to break our door when we refused to open it on their demands" when the Bailiffs came to his home 10 days afterwards. "They left threatening us that they will come back again."

"We will keep knocking on their doors until they do so"

Shukhrat (who would not give his last name), head of Samarkand City Court Bailiffs, asked Forum 18 on 24 July "why don't they pay the fines. We will keep returning to their homes as long as we confiscate everything until they pay the fines". When Forum 18 suggested that all the confiscated items probably covered the amount of the fines, he angrily stated: "They need to pay the fines. That's it. We will keep knocking on their doors until they do so." (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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