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UZBEKISTAN: Criminal conviction, fines for meeting at home and carrying Bible

By Mushfig Bayram, Forum 18 News Service <<http://www.forum18.org>>

Sharofat Allamova, a Protestant from Urgench in north-western Uzbekistan, has been given one and half years of corrective labour, after being convicted under criminal charges brought for the "illegal production, storage, import or distribution of religious literature". The judge in the case, Makhmud Makhmudov, refused to talk to Forum 18 News Service. Allamova will be placed in a low-paid state job, her salary being further reduced by having to pay 20 per cent of it to the state during her sentence. She will only be permitted to travel within Uzbekistan with written state permission, and is banned from leaving the country. It has been stated that the NSS secret police compelled witnesses to make false statements against Allamova. Separately, fines have been imposed on people in the capital Tashkent for meeting in a private home and having Christian literature, and for carrying a personal Bible and New Testament. Baptists have noted that the latter conviction is illegal in Uzbek law.

Sharofat Allamova, a Protestant from north-western Khorezm Region, has been given one and half years of corrective labour after being convicted under criminal charges of the "illegal production, storage, import or distribution of religious literature", Forum 18 News Service has found. Fines have also been imposed on people for meeting in a private home and having Christian literature, as well as carrying their personal Bible and New Testament.

Religious literature in Uzbekistan is under tight state control. The production and import of literature - including the Koran and the Bible - is strictly controlled, with compulsory prior censorship by the state Religious Affairs Committee. Ownership of religious literature can lead to punishment, as police often allege that literature is being stored for use in "missionary activity", which is also illegal (see Forum 18's religious freedom survey of Uzbekistan <http://www.forum18.org/archive.php?article_id=1170>).

Criminal conviction

Allamova, a Protestant from Urgench [Urganch] in the north-western Khorezm Region, was sentenced to one and half years of corrective labour at Urgench City Criminal Court on 11 April. She will be placed in a low-paid state job, her salary being further reduced by having to pay 20 per cent of it to the state during her sentence.

She will only be permitted to travel within Uzbekistan with written state permission, and is banned from leaving the country. It has been stated that the National Security Service (NSS) secret police compelled witnesses to make false statements against Allamova (see below).

Allamova's conviction under Article 244-3 of the Criminal Code follows two raids on her home in January and being detained for 11 hours. Criminal charges were brought by police as she was in May 2012 convicted of the same "offence" under the Code of Administrative Offences (see F18News 31 January 2013 <http://www.forum18.org/Archive.php?article_id=1797>).

Judge Makhmud Makhmudov, who handed down the corrective labour sentence, also ordered (in a verdict Forum 18 has seen) the confiscation of books and other material seized in the two raids and of her computer.

Judge Makhmudov's assistant (who would not give his name) refused to comment on the case. When Forum 18 asked on 16 May why such a serious punishment was given to Allamova, he said that he will convey the question to Judge Makhmudov and asked Forum 18 to wait on the line. He then told Forum 18 that Judge Makhmudov did not wish to talk. Told that the NSS secret police is said to have compelled witnesses to write statements against Allamova, the assistant told Forum 18: "I am only an assistant and I cannot comment".

Corrective labour

Allamova has appealed against the sentence, but it is not know when the appeal will be heard. She was ordered to go to Urgench Police's Corrective Labour Inspectorate on 14 May for registration and referral to a job. Throughout the sentence she will have to go to the Inspectorate every 10 days for registration. Every quarter year she must submit a reference letter and report on her movements

from her local mahalla.

Mahalla committees are the lowest level of administration, and restricting 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>).

Forced cotton picking?

Typical jobs given to those sentenced to corrective labour are work as street cleaners, caretakers, and manual workers in brickyards. Those sentenced cannot refuse any work they are given, and if they attempt to refuse or are convicted of another "offence" under the Administrative Code they can be jailed.

Fellow Protestants think that, in the autumn, Allamova may be sent for two or three months to take part in the cotton harvest. The Cotton Campaign coalition <<http://www.cottoncampaign.org>> with other human rights defenders has long drawn attention to Uzbekistan's use of large numbers of adult and child forced labourers to work its cotton fields.

Evidence?

Akhmed Sotivoldiyev of the NSS secret police's Khorezm Department questioned Allamova and family members, "threatening that criminal cases could be fabricated against them", co-believers told Forum 18 on 3 May. He reportedly told Allamova during the second 16 January raid that "Christians such as her ought to be collected in one place and burned". Sotivoldiyev wanted to know who Allamova's relatives and acquaintances are, other information on the life of her and her family, and sources of income.

Sotivoldiyev of the NSS secret police is said to have illegally demanded that Allamova's acquaintances and the Chair of her mahalla, S. Zaripov, sign police reports accusing her of illegal missionary activity in the Region.

Apart from minor differences, the texts of all three of the witness statements against Allamova are identical. They claim that Allamova visited neighbours in the district to give them English-language titled DVDs called "The Story of Jesus for Children", as well as packets of sweets and a postcard with the English-language words "Merry Christmas". Along with these items, she is claimed to have said "May the Lord Jesus save you" to neighbours.

All three neighbours are claimed to have taken the items to mahalla Chair Zaripov, as they thought Allamova's alleged "actions and words to be suspicious". Zaripov himself, the Court decision claims, called a residents' meeting where they discussed the "illegal actions" of Allamova and that she is a "member in an illegal Jesus Christ sect". Zaripov is then said to have given all the distributed DVDs to the police, who then raided Allamova's home.

Where is Sotivoldiyev of the NSS secret police?

The regional NSS secret police, telephoned on 16 May, asked Forum 18 to call on 17 May about the case. Asked on 17 May why the NSS secret police was involved in the case, and why witnesses were threatened, the duty officer told Forum 18 to wait and then said: "He [Sotivoldiyev] does not know you and we need to fully inform him about you". Moments later the duty officer told Forum 18 that "I was informed that Sotivoldiyev no longer works here. He was dismissed from his job".

Raid and beating

In the capital Tashkent, in the evening of 14 April, a group of 13 officials broke into a private home where Protestants were meeting. Two of the intruders were from Yunusabad District Police. The officials "twisted the arms of Nadezhda Li, and hit her back against the wall several times", witnesses told Forum 18. The other officials searched the home. Protestants told Forum 18 that Li is an unemployed reporter, and that she asked the officials for the reason for the unauthorised search without a search warrant.

Officials then confiscated various books, including a Russian-language Bible, drew up statements and left.

Yunusabad Police told Forum 18 on 17 May that the raid was led by the Struggle with Extremism and Terrorism Department, and referred Forum 18 to its Head, Mirfayoz Mirazimov. Asked for the reason of the raid Mirazimov said, "It's not a phone conversation." When Forum 18 asked again for the reason, and why his officers beat Li, he responded: "If they are unhappy they can file a complaint". Mirazimov then refused to talk further, asked Forum 18 to send questions in writing, and put the phone down.

Large fines

After the raid, Judge Shakhzoda Ashrapova of Tashkent's Yunusabad District Criminal Court on 22 April fined Nadezhda Li, Yelena Le, Anastasiya Tsai, Olesya Magay, Vladlena Magay and Galina Khegay each 7,959,000 Soms (about 22,200 Norwegian Kroner, 3,000 Euros, or 3,900 US Dollars at the inflated official exchange rate), or 100 times the minimum monthly salary.

All six were convicted under Administrative Code Article 240 ("Violation of the Religion Law") Part 1. This punishes: "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".

Nadezhda Li was also convicted of violating Administrative Code Article 241 ("Teaching religious beliefs .. without permission .. as well as teaching religious beliefs privately"). Yelena Le was also convicted under Article 184-2 ("Illegal production, storage, or import .. with a purpose to distribute or distribution of religious materials..").

(See base of this article for the full text of Administrative Code articles and possible punishments.)

All six Protestants are members of the Vefil (Bethel) and Iisusa Khrista (Jesus Christ) officially registered Tashkent churches. Judge Ashrapova also ordered, in the decision Forum 18 has seen, the destruction of the Christian books and materials confiscated from the Protestants.

A local Protestant, who wished to remain unnamed for fear of state reprisals, pointed out to Forum 18 on 15 May that one of the two confiscated books was a Bible in Russian - but the Court decision does not mention this. It only names a book entitled "Goal-oriented life," three notebooks, four pocketbooks with personal notes, 14 leaflets, and 9 pages of printing paper with prayers on them.

Judge Ashrapova on 17 May confirmed the fines to Forum 18 but refused to comment on her decision. When Forum 18 asked why she gave such large fines, she put the phone down. Subsequent calls to her went unanswered.

Asked the same question on 17 May Dilmurod (he refused to give his last name), the Court Chairperson's Assistant referred Forum 18 to Khurshid Sadykov, Head of the Court Chancellery. Sadykov also refused to comment on the case saying that "I work in the Chancellery, I am not competent to comment on judges' decisions."

Fined for carrying personal Bible in bag

Also in Tashkent, on 10 April Natalya Akhmedova was walking to Anna Serina's home to go to a meeting for worship with her, when a police officer from Hamza Police Station saw Akhmedova. He asked her to show the contents of her bag. Seeing that she had a Bible and songbook, the policeman took her to the nearest police station. Both women belong to an unregistered Baptist church that meets without state permission.

Police confiscated the Bible and songbook, and questioned Akhmedova, Baptists told Forum 18 on 1 May. Police asked her who she is, where she is from, and what she was doing. Police then summoned Serina to the Police Station. There officials searched her bag and found a New Testament. "Both were taken to the District Police, where they were photographed and fingerprints taken", Baptists stated. Police then, after drawing up a report, released them.

Hamza District Police on 17 May referred Forum 18 to Aziz Khamzayev, Chief of the Struggle with Extremism and Terrorism Department. Asked why the police stopped Akhmedova on the street and confiscated her personal Bible, Khamzayev refused to comment. "I don't know you and I cannot discuss the issue over the phone." He then put the phone down.

Fine

Judge Dilmurot Valiyev of Hamza District Criminal Court on 18 April fined Serina and Akhmedova 50 times the minimum monthly salary each, 3,979,500 Soms (about 11,100 Norwegian Kroner, 1,500 Euros, or 1,950 US Dollars). They were convicted of breaking Administrative Code Article 240 Part 2 ("Attracting believers of one confession to another (proselytism) and other missionary activity"), Baptists from Tashkent told Forum 18 on 1 May.

Judge Valiyev also with the same decision ordered the destruction of the materials confiscated from the two - a Bible, New Testament, Baptist songbook, several bookmarks with prayers on them, and a book titled "The Time is coming".

Unlawful

Baptists complained that Judge Valiyev unlawfully applied the law. "The fact they had their personal Bible and New Testament in their bags does not prove that they were involved in missionary activity," they told Forum 18.

Asked by Forum 18 on 17 May why he fined the women for carrying their personal Bible and New Testament, Judge Valiyev did not answer. He then put the phone down. Officials at the Court's Chancellery also did not want to comment on the case. "Send your questions in writing," an official (who refused to give his name) told Forum 18 on 17 May.

Administrative Code articles

- Article 184-2 bans: "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";

- Article 240 ("Violation of the Religion Law") Part 1 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 administrative arrest for up to 15 days.

- Article 240 ("Violation of the Religion Law") Part 2 ("Attracting believers of one confession to another (proselytism) and other missionary activity") imposes punishments of either fines of between 50 and 100 times the minimum monthly salary, or administrative arrest for up to 15 days.

As with other terms used in Uzbek "law", there is no legal definition of what exactly "proselytism" or "missionary activity" is, leaving much room for arbitrary official interpretations.

- and Article 241 bans: "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". Punishments range from fines of 5 to 10 times the minimum monthly salary, or administrative arrest for up to 15 days. (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>>.

Mushfig Bayram, contributed this comment to Forum 18 News Service. Commentaries are personal views and do not necessarily represent the views of F18News or Forum 18.

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