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UZBEKISTAN: Fined 260 times monthly minimum wage each - and banned from leading religious communities?

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Uzbekistan has fined three Baptists a total equivalent to 260 times the monthly minimum wage each, allegedly for tax evasion and teaching children religion illegally, Forum 18 News Service has learnt. The three have consistently insisted that the charges are fabricated, and one suggested to Forum 18 that the real reason for the charges was to remove the Baptist Union's leadership. This is supported by the three having also been banned from all administrative and financial activity for three years - which may stop them playing any organisational role in any religious community. It is unclear what practically this ban means, as the authorities refuse to explain it to either the Baptists or Forum 18. The verdicts come as Uzbekistan continue encouraging intolerance of people exercising freedom of religion or belief, for example in a Justice Ministry seminar on "overcoming human trafficking, religious extremism and missionary activity." Sharing beliefs is a criminal offence in Uzbekistan, and the state-run media are suggesting that this is also so in "many other" unnamed countries. Also, it appears that Muslim, Christian and Jehovah's Witness prisoners of conscience, imprisoned for their faith, are being excluded from a prisoner amnesty.

At the end of a high-profile trial in the Uzbek capital Tashkent today (29 October), Judge Nodyr Akbarov of Yakkasaray District Criminal Court found Pavel Peichev, Head of Uzbekistan's Baptist Union, and two colleagues guilty of evading taxes and involving children in religious activity without their or their parents' consent, the Judge and the Baptists told Forum 18 News Service. Each was fined 260 times the minimum monthly wage. Significantly, the ruling also deprives Peichev and his colleagues of the right to lead an organisation's administrative and financial activity for three years. Moreover, the Baptist Union will have to pay to the State Budget the allegedly unpaid taxes on their income from the Children's Camp.

As the minimum monthly wage is 33,645 Soms (125 Norwegian Kroner, 15 Euros, or 22 US Dollars) from 1 August 2009, under a Decree by President Islam Karimov, the fines come to 8,747,700 Soms (32,820 Norwegian Kroner, 3,900 Euros, or 5,760 US Dollars) each.

The Court also claimed in its ruling that the Baptist Union owes in unpaid taxes 3,620,200 Soms (13,580 Norwegian Kroner, 1,615 Euros, or 2,380 US Dollars).

Punished alongside Peichev was Yelena Kurbatova, the Union's accountant, and Dmitri Pitirimov, Director of the Joy Baptist Children's Camp. The written verdict is expected to be handed down in the next ten days; only then can the three Baptists lodge appeals against the ruling.

What does the ban on leading "financial and administrative activity" mean?

Judge Akbarov on 29 October confirmed the fine and three-year deprivation of the Baptists' right to lead administrative and financial activity, but refused to explain to Forum 18 what the decision precisely meant. "Please talk to the Baptists' lawyer about it," he said and then hung up the phone.

Also unable to tell Forum 18 on 29 October if Peichev and his colleagues can continue to work in the Baptist Union was an aide to Artyk Yusupov, the head of the Religious Affairs Committee in Tashkent. "I don't know anything about this case. If this purely relates to tax we wouldn't be able to do anything about it. I will have to study this issue."

Peichev of the Baptist Union said he assumed that the court decision means he could not now lead the Union. "We will have to find out what this decision exactly means, and of course we are planning to challenge it in the higher courts," he told Forum 18 on 29 October. "We do not have the court decision at the moment but we understood that the three of us will have to pay a total of 26,243,100 Soms (98,400 Norwegian Kroner, 11,700 Euros, or 17,280 US Dollars) in fines, plus the so-called unpaid taxes," he complained.

Was "real intention" to remove Baptist leadership?

Peichev's fellow-Baptist and defendant Pitrimov also complaining about the court decision. "Despite the fact that it was proven in the court the whole case was fabricated, the Judge still went ahead and made a decision against us," he told Forum 18 on 29 October. Tashkent City Prosecutor's Office brought criminal charges against the three Baptists under Uzbekistan's Criminal Code Article 184 Part 2a and 2b and Article 145 Part 2 for allegedly evading taxes and involving children in religious activity without their or their parents' consent. The Baptists and some of the parents involved vehemently denied the charges (see F18News 15 October 2009 <http://www.forum18.org/Archive.php?article_id=1362>).

Pitirimov supposed that the "real intention" of the court case was "not to fine" the Baptists but "remove the three" - Peichev, Pitirimov and Kurbatova - from the leadership of the Baptist Union. "As Jesus says in the Gospels, 'I will strike the shepherd and the sheep will be scattered'," he said. "One can only imagine what kind of further attacks may come from the authorities," he added.

He said they intend to file an appeal immediately they receive the court decision. "We are supposed to get the decision from the court tomorrow," he said.

At each of the hearings, including the final hearing when the verdict was announced, church members have gathered outside the courthouse to show their support for the three. Only close family members of the defendants were allowed into the courtroom.

Baptist sources told Forum 18 that in the week of 19 to 23 October, all three registered Baptist Union congregations in Tashkent were visited by officials from the city Justice Department. The officials checked whether the churches' official documents were in order, and whether their activities conformed to Uzbekistan's restrictive laws. All three congregations were told to correct "errors" uncovered in their activity.

Existing state interference in leadership of religious communities

If the verdict does mean that for the next three years Peichev and his colleagues can play no part in leading the Baptist Union, this would represent interference in the Union's free choice of its leaders. It is possible they could also be deprived of the right to lead an individual congregation of the Union.

The state authorities already control all leading Muslim appointments, from the Chief Mufti downwards. This is the only religious community where its leaders are nominated directly by the state (see Forum 18's Uzbekistan religious freedom survey at <http://www.forum18.org/Archive.php?article_id=1170>).

The authorities have also interfered in the leadership of other religious communities by expelling from the country foreign citizen leaders they dislike. The head of the Jewish community, Chief Rabbi Abe David Gurevich, was forced to leave Uzbekistan in June 2008 after the Justice Ministry refused to renew the accreditation for him and his wife Malka to work in the country. Russian-born but with both a US passport and an Israeli passport, Gurevich had worked in Uzbekistan since 1990 (see F18News 14 July 2008 <http://www.forum18.org/Archive.php?article_id=1158>).

Renewed state incitement of intolerance against exercising religious freedom

The trial and verdicts on the three Baptists in Tashkent come at a time of heightened state-run activity against religious minorities. The Justice Ministry website reported on 4 August on a seminar held in the town of Jizzak on "overcoming human trafficking, religious extremism and missionary activity". The seminar, organised by Akmal Boimatov of the town's second state notary office, heard presentations from officials of the local Hokimat, the police, registry office and mahalla leaders "on such concepts as missionary activity, proselytism, protection of young people from the harmful influence of extremist movements, and on how we are all responsible for the moral education of the young generation".

Forum 18 was unable to reach Boimatov on 28 October to find out why sharing one's faith needs to be overcome in the same way as human trafficking and extremism. Sharing beliefs with others is a criminal offence in Uzbekistan, breaking the state's international human rights commitments.

Newspapers and websites have continued to publish alarmist articles against missionary activity, including a 2 October article in the newspaper "Chirchik" which was picked up by other websites. Journalist M. Yusupova alleges - without giving any concrete examples - that the Jehovah's Witnesses have gained converts and have stripped them of their homes and all their money. "Missionary activity and religious propaganda violates the laws both of our state and many others," she insists, without naming other countries where sharing faith is illegal. She insists that religious preaching should take place "at the juridical address of a religious organisation, not on the street".

Throughout all of Uzbekistan the authorities have been rebroadcasting TV films encouraging intolerance and attacking religious minorities as well as freedom of religion or belief. For example, for several weeks in September the Kamalak cable television channel rebroadcast in prime evening viewing the 2008 film "In the Clutches of Ignorance", Tashkent residents told Forum 18. "I was furious," one Protestant who asked not to be identified told Forum 18. "There was so much hostility and so many errors of fact

in the film."

"In the Clutches of Ignorance", a film made by Uzbek State Television, was first broadcast in May 2008 and again in June 2008. It singled out unspecified "missionary activities" for attack, describing them as "a global problem along with religious dogmatism, fundamentalism, terrorism and drug addiction." Jehovah's Witnesses, Seventh-day Adventists, Presbyterians and Methodists were all described as being responsible for this "global problem." The film claimed that Uzbek citizens' "low political awareness and legal culture make them an easy target for the missionaries." The film provoked a letter of protest from the leaders of 26 Protestant congregations across Uzbekistan (see F18News 25 June 2008 <http://www.forum18.org/Archive.php?article_id=1148>).

Munira Hakimova of Kamalak TV said that the channel only rebroadcasts programme made by other channels. "We do not have our own production," she told Forum 18 from Tashkent on 28 October. She said that it is the Director of Uzbekistan State radio and television company who decides what shows to rebroadcast.

Some sources told Forum 18 the film was also repeated on other local television channels elsewhere in Uzbekistan in September.

In October, another Tashkent cable television channel, Stojari, rebroadcast the 2006 film "Hypocrisy" during primetime evening viewing. The independent news agency Uznews.net reported on 23 October that the film was shown without prior notification and interrupted what it believed would be far more popular programmes being rebroadcast from the Russian television channel NTV.

"Hypocrisy", made by Uzbek state television and first shown in November and December 2006, includes claims that Protestants and Jehovah's Witnesses turn people into zombies and drive them to psychiatric hospitals (see F18News 19 December 2006 <http://www.forum18.org/Archive.php?article_id=890>).

The telephone helpline given at the end of the programme turned out to belong to the Media-Business company, Uznews.net noted. It quoted the firm's director, Bahodir Yuldashev as telling it that the Uzbek Journalists' Union had asked it to allow its number to be given. He insisted that the helpline was not set up to give people the opportunity to "inform" on "new religious sects", but rather to allow them to "share with the editorial team their impressions of the film and their views on the phenomenon". Asked whether the state authorities had initiated the re-broadcast of the film, Yuldashev told Uznews.net: "No comment."

"A lot of people became suspicious of Protestants in the wake of these previous films in 2006 and 2008," one Tashkent Protestant told Forum 18. "For church members too it was a stumbling block - some people were shaken in their faith. I fear the same could happen again."

Another Protestant recalled to Forum 18 that a church member shown in one of the films was recognised by a taxi driver the following day and was asked if she was a "sectarian". "And at the market where she was a trader, everyone immediately spotted her and adopted a hostile attitude to her."

Religious prisoners of conscience excluded from amnesty?

On 28 August the Senate, the Upper House of Parliament, issued a decree establishing a prisoner amnesty to mark the 18th anniversary of Uzbekistan's independence. Prisoners in certain categories were due to be amnestied in the three months from the date of the decree. However, Forum 18 is unaware of any religious prisoners of conscience to have been freed in the wake of the decree.

Amid a huge crackdown in 2009 on adherents of the late Turkish Muslim theologian Said Nursi, 47 men were given prison sentences totalling some 380 years on charges that their friends say were fabricated (see F18News 31 August 2009 <http://www.forum18.org/Archive.php?article_id=1344>).

Among other prisoners of conscience still serving sentences are a Pentecostal Pastor from Andijan [Andijon] in eastern Uzbekistan, Dmitry Shestakov, who is serving a four year sentence, and three Jehovah's Witnesses: Abdubannob Ahmedov, Sergei Ivanov, and Olim Turaev (see F18News 6 April 2009 <http://www.forum18.org/Archive.php?article_id=1280>).

Jehovah's Witnesses told Forum 18 that the prison authorities have taken steps over several years to prevent their prisoners being eligible for prisoner amnesties. On 12 August Turaev's lawyer lodged an appeal to the Pastdargom District Prosecutor's Office of Samarkand Region for the forthcoming amnesty to be applied to him.

However, the same day the administration of the labour camp where he was being held transferred him to the investigation isolation cell at Kattakurgan after accusing him of violating the prison regime, an accusation Jehovah's Witnesses told Forum 18 was false. Pastdargom Court ruled that Turaev was guilty and changed the rest of his four-year sentence to be served not in an open-type prison but in a general regime labour camp, the next harshest category of imprisonment. This made him ineligible for the amnesty.

Transferred at about the same time to Tashkent prison was Ahmedov after he too was accused of violating the prison regime, Jehovah's Witnesses also told Forum 18. "Such actions by the authorities are aimed at depriving these prisoners of the possibility of being amnestied in 2009." They point out that a similar move was used in 2008 to deprive the then prisoner Irfon Khamidov of being

included in that year's prisoner amnesty.

Khamidov was freed on 14 May 2009 after completing two years' imprisonment, but was then deported to his native Tajikistan the following day after seeing his then two-year-old son for the first time (see F18News 4 June 2009 <http://www.forum18.org/Archive.php?article_id=1306>).

In addition to these long-term prisoners of conscience, the Uzbek authorities are increasingly using imprisonment for up to 15 days to punish members of minority religious communities. Several Protestants and Jehovah's Witnesses have been handed such sentences so far this year. Most recently, two Baha'is were given 15-day prison terms in Tashkent in July for "resisting police officers in carrying out their duties", while the pastor and three other members of a registered Protestant church in Tashkent were each given 15-day terms in August on charges of leading an "unauthorised" religious meeting (see F18News 24 September 2009 <http://www.forum18.org/Archive.php?article_id=1353>). (END)

For a personal commentary by a Muslim scholar, advocating religious freedom for all faiths 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://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=uzbeki>>.

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