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Muslims sentenced for discussing Islam and praying

Forum 18 News Service (26.11.2013) - In Uzbekistan Ravshan Rahmatullayev, a devout Muslim young man, was sentenced to six years in jail in July, and five others given two to three year suspended jail sentences, Forum 18 News Service has learnt. Relatives of the six Muslims, who wished to remain unnamed for fear of state reprisals, told Forum 18 that the six met in private for joint prayers and Koran reading, but totally denied the authorities' claims that any of the six Muslims were a threat to security. Police were unable to name to Forum 18 anything the six Muslims had done, apart from exercising the internationally-recognised right to freedom of religion or belief, which constituted a crime.

Prisoner of conscience Rahmatullayev was sentenced by Judge Khaliddin Shermukhamedov of Kibrai District Criminal Court, in the region around the capital Tashkent, on 17 July. The verdict, a copy of which Forum 18 has seen, states that Rahmatullayev was guilty of breaking Criminal Code Articles:

- 216 ("Illegal establishment or reactivation of illegal public associations or religious organisations, as well as active participation in their activities"):

- 244-1, Paragraph 3 ("Dissemination of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilising fabrications, and committing other acts aimed against the established rules of conduct in society and public order"). Point a, under which Rahmatullayev was convicted, specifies "with previous planning or by a group of individuals";

- and 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").

Judge Shermukhamedov at the same time gave suspended prison sentences to the five other Muslims: Azimjon Eminov (three years), as well as two each to Zhamshid Bazarbayev, Mirkamol Musayev, Zhavlon Umarbekov and Dilshod Shokirov. All five were found guilty under Criminal Code Article 216, and Eminov was also found guilty of breaking Article 246 Part 1.

Such sentences are normal for groups of Muslims convicted of exercising their freedom of religion or belief together.

The case was brought by Tashkent Regional Police's Investigations Department. The indictment, a copy of which Forum 18 has seen, was prepared by Major Umid Kenzhayev and endorsed by Lieutenant Colonel Bahodiy Rakhimov, Deputy Chief of the Department, and on 1 April by A. Tursunov, Deputy Prosecutor of Tashkent Region.

Teahouse "offences"

The six Muslims allegedly gathered in a local teahouse to listen to recordings of sermons and to discuss religious topics. In what the indictment appears to see as an aggravating "offence" by Rahmatullayev, he is claimed to be the only one who performed namaz prayers.

The six devout Muslims carried on what the verdict describes as their "illegal extremist religious activity" for about seven months, between May and December 2012. Rahmatullayev "attracted his friends" from Kibrai District to listen to the speeches and sermons of Abduvali Mirzayev and Obidkhon Nazarov, "which contain Wahhabi religious extremist ideas". ("Wahhabi" is a term used by officials to denote groups they dislike, which has even been used of Jehovah's Witnesses.) The six Muslims are also claimed to have listened to speeches by Hairulla Hamidov, a Muslim radio journalist sentenced to six years in jail in June 2010.

Mirzayev was an imam in Andijan [Andijon] in eastern Uzbekistan, whose recorded sermons became popular among Muslims across the country. He "disappeared" with his assistant at Tashkent Airport in 1995 and has never been seen again. Nazarov was a Tashkent-based imam who fled Uzbekistan in 1998. He gained asylum in Sweden in 2006. On 22 February 2012 he was shot in the Swedish town of Strömsund in what some think was an assassination attempt initiated by the Uzbek authorities. He remains in a coma.

The verdict claims that, on Rahmatullayev's request, Eminov brought from Kiev in Ukraine audio cassette tapes and CDs of sermons by Mirzayev and Nazarov. It also claims that Rahmatullayev "used the internet and connected to the website of Turkistan's Muslim Movement in order learn their ways and propagandise their ideas."

Informer?

Both the indictment and verdict mention the name of a main witness, Eldor Mahmudov, who allegedly is a Muslim believer, and was a friend of Rahmatullayev. He sold his computer to Mahmudov, but the computer had records on it of the Islamic sermons.

Independent human rights defender Surat Ikramov told Forum 18 from Tashkent on 20 November that Mahmudov did not appear before the Court during the trial. It is thought that Mahmudov may be an informer and a secret employee of Kibrai District Police.

"Fabricated" case

Human rights defender Ikramov told Forum 18 that, based on what he has been told by relatives and the Muslims' lawyers, he thinks the charges are "fabricated". He pointed out that "the guilt of the defendants was not proven during the trial", and that the defendants only partially admitted the charges.

Relatives of the six Muslims, who wished to remain unnamed for fear of state reprisals, told Forum 18 that the six met in private for joint prayers and Koran reading, but totally denied the authorities' claims that any of the six Muslims were a threat to security. They said that their relatives are "not extremist or radical, but peaceful and quiet believers."

Police were unable to name to Forum 18 anything the six Muslims had done, apart from exercising the internationally-recognised right to freedom of religion or belief, which constituted a crime. Police investigator Major Kenzhayev on 25 November would not answer Forum 18's questions on this. "There is a court decision, which proves the charges brought by us," he claimed. When Forum 18 repeated the question, he replied: "Please ask the Foreign Ministry, and if they think it appropriate we will answer you".

Unlawful arrests and searches

Human rights defender Ikramov said that arrests of the six Muslims began on 28 December 2012, and they were kept in detention until the end of January 2013. "Searches of the defendants' homes were carried out without warrants, and no illegal religious materials were found in their homes" he pointed out. Perhaps revealingly, the verdict and the indictment do not specify the results of these searches. Ikramov also noted that detentions for 30 days in the Special Detention Centre of the Interior Ministry in Tuzel was also unlawful.

Ikramov also noted numerous violations of legal procedure during the trial. These included the indictment only being given to the defendants one hour before the hearing began on 29 May, and witnesses not appearing before the Court

Defendants electrocuted and confessions extracted?

Ikramov told Forum 18 that on 7 January Rahmatullayev and his fellow Muslims were taken from the Interior Ministry's Detention Centre to the Regional Police's Investigation Ward. Police kept them there for 10 days and, he stated, "tortured them by electrocution and extracted confessions from them". The men were then taken back to Tuzel.

Others who know the defendants confirmed this to Forum 18, and said that the authorities threatened them if they told anyone about the torture.

Torture in Uzbekistan continues to be "routine", the UN Committee Against Torture has found.

After 30 days of detention, all except Rahmatullayev were released on condition not to leave the area and bail of 1,600,000 Soms (about 4,540 Norwegian Kroner, 550 Euros, or 740 US Dollars at the inflated official exchange rate).

Asked why the Muslim men were tortured and others were threatened if they complained, Major Kenzhayev adamantly denied this to Forum 18. "You were misinformed," he claimed, and added that "Every action was done in accordance with the law, and they can still appeal if they want to."

"I cannot guarantee my own safety if I talk"

A relative of the convicted Muslims told Forum 18 that Court officials stated that if an appeal was made, the mere fact of an appeal would mean that the six Muslims would receive longer jail terms. Also, all of them would be imprisoned instead of being given suspended sentences.

One of the lawyers told Forum 18 that "I cannot guarantee my own safety if I talk".

"I can answer your questions"

Anvar (who refused to give his last name), Judge Shermukhamedov's Assistant, on 26 November told Forum 18 that the Judge is busy, but that "I can answer your questions". Asked about whether the case was fabricated and defendants tortured, Anvar replied: "If they do not agree with the decision they can appeal".

In response to questions about threats being made by the authorities if complaints were made, he stated that making complaints "is their right, and I don't know what to tell you". He then referred Forum 18 to Tashkent Regional Court. "They are our superiors and only they can answer these questions".

Asked about the case, Sherzod Karimov, Assistant of Tashkent Regional Court's Chairman, on 26 November referred Forum 18 to the Court's Chancellery. However, the Chancellery's phone went unanswered that day.

Aybek (he refused to give his last name), an official of the Kibrai Prosecutor Office, who at first introduced himself as an official of the Chancellery, on 26 November, when asked about the violations against the defendants and breaches of legal procedure, stated: "I am not officially working here. You had better contact Usmanov himself." Iskander Usmanov, Deputy Prosecutor of Kibrai District, was the public prosecutor in the case, though he was only present in court for the delivery of the verdict.

Usmanov's phone went unanswered on 26 November, and Aybek refused to put Forum 18 through to any officials claiming "I do not know the phone numbers".

In Karshi Labour Camp

Prisoner of conscience Rahmatullayev is serving his six year prison sentence in Karshi [Qarshi] Labour Camp in southern central Uzbekistan. A person who has recently seen him stated that he was "fine and healthy", but could not give further details for fear of reprisals against Rahmatullayev. His prison address is:

Ravshan Rahmatullayev

UYa 64/61

otryad 12

Karshi

Kashkadarya Region

Uzbekistan

Fellow prisoner of conscience Bobur Khatamov – jailed for nine years in 2010 for meeting with others to study the Koran and pray – is among those also in Karshi Labour Camp.

Uzbekistan continues to limit the freedom of religion or belief of all prisoners, whatever their religion or belief. For example, Muslim prisoners of conscience are not allowed to openly pray or read any Muslim literature - even the Koran.

"I don't know why they are arresting them"

Many Muslims are jailed in Uzbekistan, usually on accusations of belonging to terrorist, extremist or banned organisations. The nature of the "justice system", in which the planting of evidence and torture by the authorities is often credibly claimed, makes it unlikely that the authorities – or anyone else - knows how many of these prisoners are guilty of involvement in violence or are "guilty" of being devout Muslims who take their faith seriously.

Legal charges brought against people do not necessarily reflect what they actually did. This can lead to people being charged using laws punishing the exercise of freedom of religion or belief, when the exercise of this freedom is not involved in the actions they actually carried out.

A sadly typical example is Bahodiy Akhmedov, son of Muhtabar Akhmedova, who was arrested in October in Chinaz in Tashkent Region. Six of Akhmedova's family members are jailed on a variety of charges involving alleged "religious extremism" or alleged links to violent organisations. Human rights defender Ikramov knows family members as peaceful Muslims. It remains unclear what exactly these six people did which led to them being jailed, or why Akhmedov was arrested.

Akhmedova's only free close male relatives are her husband Khakem Akhmedov and one of her sons, and her brother's son Abdullozhon Mirzayev. All three are devout Muslims and have fled Uzbekistan for fear of being jailed.

"I don't know why they are arresting them. But they have arrested almost all my male relatives, and one brother died in prison", she replied when Forum 18 asked why the authorities arrested her family members.

Akhmedova stated that her brother and son, because of the previous arrests of family members, were afraid to practice Islam or perform the namaz prayers.

Son's multiple October arrests

Bahodiy Akhmedov, who had been working in Russia, returned to his home on 4 October because he was ill. At 5 am the next morning four officers from Chinaz Police searched the home without a warrant. They found nothing illegal but took Bahodiy with them, releasing him that evening.

On 10 October Bahodiy was detained again, and the authorities again searched the home without a warrant. Officials confiscated Korans from some relatives.

Akhmedova told Forum 18 that she only found out on 14 October that her son was on 10 October stopped on the street near their home. He was taken to Chinaz Police Station where he was kept overnight. The next day he was sentenced in Akkurgan Criminal Court to 15 days administrative detention for alleged "hooliganism". No relatives were informed and he was not even given a court-appointed defence lawyer.

Bahodiy Akhmedov is still being held in the Interior Ministry's Special Detention Centre in Tuzel – as of today (26 November) 31 days beyond his sentence.

"I was only obeying orders"

Asked why he detained Akhmedov on 10 October, Rinat Galiyev, a police officer in Chinaz District Police, told Forum 18 that: "I was only obeying orders, which were to find Akhmedov and arrest him." He said that he does not know the reasons why Akhmedov was wanted.

Tashkent regional police Struggle with Extremism and Terrorism Department made two of the arrests. Lieutenant Saidkarim Nishonbekov, head of this Department, told Forum 18 on 19 November that the reason for the arrests of Akhmedov and others is that a "criminal case is opened against them". He refused to state what charges were brought against them, "as it is an investigation secret".

When Forum 18 asked why family members were arrested, Lieutenant Nishonbekov stated that "you were given wrong information" without specifying what was wrong with the information. When Forum 18 repeated the question he replied: "Why don't you come and meet us in Tashkent and we'll talk with you." He then declined to discuss the cases further.

Utkar Norbayev, Assistant to Akkurgan Criminal Court Chair Judge Kazimjon Mukhamedjonov, on 20 November repeatedly refused to explain why Bahodiy Akhmedov was sentenced.

Prisoner of conscience exposed to TB

Forum 18 (05.11.2013) - Two months after his appeal against a 16-year jail sentence was rejected, prisoner of conscience Khayrullo Tursunov's relatives have still not received a copy of Kashkadarya Regional Criminal Court's 6 September cassation appeal decision. Without copies of the decision, no further appeals can legally be made. "The Court refuses to provide our relatives in Karshi or Khayrullo's lawyer with a copy", relatives living abroad, who asked to remain anonymous for fear of state reprisals, told Forum 18 News Service on 4 November.

Tursunov, a 38-year-old devout Muslim, was sentenced in early June to a long prison term – thought then to be 12 years - for alleged "extremist" religious activity. Relatives outside Uzbekistan complained to Forum 18 that the case had been "fabricated" to punish him for exercising his freedom of religion or belief.

"Tursunov is a devout follower of Islam, and in Uzbekistan he peacefully practiced his faith outside state-controlled Islam", exiled human rights defender Mutabar Tadjibayeva of the Fiery Hearts Club told Forum 18.

Some foreign-based relatives suspect that the authorities may have sought Tursunov in revenge for his wife's escape from Uzbekistan. Nodira Buriyeva fled from the country after being interrogated and threatened with rape before a relative was jailed for being a devout Muslim.

Tursunov himself was extradited from Kazakhstan back to Uzbekistan in March, against the express wishes of the United Nations (UN) Committee Against Torture.

Zulfiyya Ochilova, Head of Kashkadarya Regional Court's Chancellery, claimed to Forum 18 on 4 November that "we already sent copies of the decision to Tursunov and his lawyer, but we cannot provide the decision to relatives." Told that Tursunov's lawyer also

has not received it, she replied: "It cannot be true, I will look into it and respond." She asked Forum 18 to also put its questions in writing to her.

Moved to a prison for tuberculosis patients

Foreign-based relatives also told Forum 18 that Tursunov was first moved to a prison in the capital Tashkent. After about a month he was then sent to a high security prison in Korovulbazar in Bukhara Region, where he was supposed to serve his sentence. But after one day he was then moved to an open prison in Kogon, in the same region, where prisoners who suffer from tuberculosis are held.

Tuberculosis (TB) is an infectious and, if left untreated, potentially fatal disease. It spreads between people through exposure to sufferers from the disease. The bacterium that causes TB can survive for long periods outside the human body, so being in a building which has contained TB sufferers is potentially dangerous. Treatment with modern antibiotics can last at least six months.

"Authorities intend to get him infected with TB"

Both the foreign-based relatives and Tadjibayeva of the Fiery Hearts Club have told Forum 18 that, during their close contact with Tursunov from when he was in Kazakhstan, he did not complain of or show signs of any serious disease including TB.

The foreign-based relatives stated that "we remember that, before he was arrested in Kazakhstan and taken to Uzbekistan, he did not show signs of TB or any other serious disease." They "suspect that the Uzbek authorities intend to get him infected with TB".

Tadjibayeva of the Fiery Hearts Club also noted that there was no mention in any official correspondence she saw, involving the UN or the Kazakh authorities, of Tursunov suffering from TB or another serious disease.

Prison authorities explained the move to relatives and Tursunov's lawyer by stating that he had been diagnosed with TB. Foreign-based relatives complained to Forum 18 that they are afraid that Tursunov may become infected with TB, as he was "in the same barracks with several hundred prisoners among whom many have a serious form of TB".

Deputy Prison Governor Rustam Rustamov, asked why Tursunov was moved to his open prison, told Forum 18 on 4 November that "all the inmates who are in our prison have various degrees of TB, and because he was diagnosed with it he was moved here".

No TB treatment?

The foreign-based relatives complained to Forum 18 that other relatives found, during a visit to the prison in mid-September, that Tursunov had severe headaches. He was also not being given any medication to treat his headaches or his alleged TB. "We don't know whether or not he really has TB, but even if he has he is not being treated for it," they complained.

Deputy Prison Governor Rustamov adamantly denied this. "We definitely treat everybody, and for this we even receive medication in the form of humanitarian aid from Tashkent."

"Torture and inhuman treatment"?

Foreign-based relatives also told Forum 18 that they fear that Tursunov "may be subjected to torture and inhumane treatment" in the prison. After a prison visit by a

relative, they suspect that "he may have been threatened not to complain about his prison conditions and treatment".

Deputy Prison Governor Rustamov denied any inhumane treatment of Tursunov. "By no means do we threaten or beat the inmates," he claimed to Forum 18. Torture in Uzbekistan continues to be "routine", the UN Committee Against Torture has found.

Punishment cell, appeals blocked

Foreign-based relatives told Forum 18 that Tursunov, within less than four months in Kogon prison, has been twice put in a punishment cell. This has allegedly been for breaking prison regulations. "We are afraid that the prison authorities may be thinking of increasing his sentence," relatives said. "We know that prison authorities often put inmates they dislike in a punishment cell several times before increasing their sentence."

They also state that appeals Tursunov wrote against his sentence and his treatment in the prison apparently "did not leave the boundaries of the prison, and were kept by the prison authorities".

Deputy Prison Governor Rustamov did not wish to discuss these issues with Forum 18, referring all further questions to the Department of Execution of Punishments in Tashkent

Tursunov, a devout Muslim, may also be being denied his right to practice his faith. Uzbekistan continues to limit the freedom of religion or belief of all prisoners, whatever their religion or belief. For example, relatives of imprisoned Muslim prisoners of conscience, jailed for exercising their religious freedom, told Forum 18 that prisoners "cannot openly pray, or read any Muslim literature - even the Koran".

Decision also not provided in original post-extradition case

The Chair of the Criminal Court in the southern city of Karshi [Qarshi], Judge Arif Elmurodov, sentenced Tursunov to a 16 year jail term on 6 June. Elmurodov in his decision categorised Tursunov as an "especially dangerous repeat offender", and ordered that his jail term be counted from 7 April 2012, and that he be put in a high security prison.

At that time officials refused to give details of the trial and sentence to relatives and Forum 18, and it was thought the jail sentence was for 12 years.

The foreign-based relatives told Forum 18 that, originally, they received the information that Tursunov was given a 12-year jail term. At the end of the final hearing on 6 June, one of Tursunov's sisters fainted, so the other relatives present took her outside. While they were outside, Judge Elmurodov read out his 16-year sentence – but a court official told the relatives the sentence was 12 years.

The relatives did not know until mid-July, when Tursunov's lawyer was given a copy of the decision, that the jail term was 16 years. The 6 June decision, seen by Forum 18, gave Tursunov 10 days to file an appeal – but this was impossible as his lawyer was not given the decision in time.

The only option open in the "justice" system was for a cassation appeal to be made. As noted above, this was turned down on 6 September – and once again the decision has not been given to the lawyer or relatives.

Denials and evasions

Judge Elmurodov "is on holiday", a Karshi court official told Forum 18 on 4 November. He referred Forum 18 to acting Chair Judge Otabek Mustafayev. Asked why the original June

decision was given to the relatives so late, Mustafayev claimed: "The Court is not obliged to provide the relatives with a copy of the decision." He claimed that Tursunov himself and the Judge who sentenced him were given copies.

Judge Mustafayev also denied that the Court misinformed relatives about the length of the jail term. "The Court gave correct information to the relatives," he claimed. It is unclear what evidence Mustafayev had for his claim.

Asked why Tursunov was given such a severe punishment, Mustafayev refused to comment. In contrast to his claim to know the details of how relatives were informed of the sentence, he claimed that he is "not familiar with the details of the case". He added that "no one else will give any comments over the phone", without stating why.

Asked why Tursunov, who had been sentenced to a high security prison, was moved to an open prison with TB patients, Mustafayev referred Forum 18 to the prison authorities.

Christian prisoner of conscience

The only currently known non-Muslim prisoner of conscience jailed for practicing their faith is Tohar Haydarov. The Baptist is serving a 10-year sentence on alleged drugs charges, which his fellow church members insist were fabricated.

Haydarov - who marked his 31st birthday in prison on 24 October - has no chance for an amnesty or early release, "because he was charged for alleged drug possession, and there is no pardon for that kind of charge", his fellow Baptists told Forum 18 from Tashkent.

"Every two months we visit him," Baptists state, "and the last time we found out that because of back pain he was confined to the prison." Haydarov "cannot go into town for work with other prisoners which can be depressing for him. He did not speak of having any problems with the prison authorities or inmates."

Haydarov's prison address is:

Tohar Haydarov
UYa 64/49
otryad 13
pos. Shaikh-Ali
g. Karshi
Kashkadarya Region
180020 Uzbekistan

Baptist camp ordered seized, Protestant pressured to inform

Forum 18 (24.10.2013) - Thirteen years after Uzbekistan's Baptist Union bought a property near the capital Tashkent to use as a summer camp venue, a Tashkent court has ordered the site's confiscation, according to court documents seen by Forum 18 News Service. The camp is currently still in the hands of the Baptist Union, which has lodged an appeal against the Court ruling to the General Prosecutor's Office, Baptists told Forum 18 from Tashkent. The judge and the Department which brought the expropriation case refused to discuss the case with Forum 18.

Uzbekistan's religious communities – whether registered or not – and individuals have long faced insecurity of ownership over their property. Officials regularly seize religious literature, computers, musical instruments and other items. In July, court bailiffs seized the piano, pulpit, carpet, refrigerator and benches from a Baptist congregation in Karshi [Qarshi] in Uzbekistan's southern Kashkadarya Region.

Meanwhile in Andijan [Andijon] Region in eastern Uzbekistan, police and secret police officers have harassed and pressured Murot Turdiyev, a local Protestant, and his acquaintances to admit in writing that he is engaged in "illegal" missionary activity, local Protestants, who wished to remain unnamed for fear of state reprisals, complained to Forum 18 on 21 October. An officer also pressured him to inform on his fellow Christians.

The Protestants said that they believe that Andijan City Police is preparing an administrative case against Turdiyev for "illegal storage of religious literature" because of a Christian book they found in his car. Andijan City Police as well as the National Security Service (NSS) secret police officials on 23 October declined to discuss the case with Forum 18 (see below).

Fines have continued against individuals to punish them for exercising their right to freedom of religion or belief. In 2013 these are known to have included Muslims, Christians, Jehovah's Witnesses and Hare Krishna devotees (see below).

Baptist camp confiscation

Tashkent City Economic Court on 20 September ruled to expropriate the plot of land in Bostanlyk belonging to the state-registered Baptist Union, according to the decision seen by Forum 18. The Baptist Union, which bought the site in 2000, uses it as a summer camp for holidays and recreation for its members and guests. Judge Malika Kalandarova upheld the claim of Tashkent Regional Department of Privatisation and Deregulation of Property (DPD), and ruled that the land is to be returned to its "lawful owner", in other words to the State.

Both Judge Kalandarova and Bobur Mukaddamov, who legally represented the Privatisation and Deregulation Department in the Court, refused to comment to Forum 18 on the case and why the claim was brought 13 years after the Baptist Union bought the site.

The case reached the Court on 19 July and was heard in five separate sessions. Judge Kalandarova "ignored" all the evidence the Union presented to the Court during the hearings on the legality of the purchase of the land, Baptists from Tashkent, who wished to remain unnamed for fear of state reprisals, told Forum 18 on 22 October.

When the Baptists saw that Judge Kalandarova ignored their arguments and evidence that the Union was the lawful owner of the land, and was "intent" on satisfying the claim of the Tashkent DPD, the Union's representatives petitioned the Court to admit that the case should be taken up by a Criminal Court, Baptists from Tashkent told Forum 18.

The Baptists argued that if Judge Kalandarova deemed the purchase contract between the Union and Chirchik Restaurant Chain, which previously owned the land, and its registration by Tashkent Property Exchange void of legal force, this meant that the contract and its registration were acts of fraud. The Baptists said that Judge Kalandarova ignored this petition as well and ruled to expropriate the land.

In a mid-July complaint to the Prosecutor General, the Baptists insisted that "the future of Uzbekistan cannot be built on the plundering of religious organisations".

Earlier raids

The plot of land the Baptists use for summer camps for children and families is in Tashkent Region's Bostanlyk District. It was on 12 October 2000 bought from the Chirchik Restaurant Chain, in an auction organised by the Tashkent regional branch of Uzbekistan's Property Exchange. The restaurant chain had bought the land in 1993 from the DPD.

The land itself has an area of a little more than one hectare [two and a half acres], and has buildings on it with a total floor area of just over 145 square metres [1,560 square feet].

The Baptists have, throughout the time they have owned the land and buildings, fulfilled all related legal obligations such as paying utility bills on time. However, the summer camps for children and families were raided – and subjected to legal cases, pressure on children and parents, and media attacks - in 2009, 2011, and 2012.

Pressured to become secret police informer

Turdiyev, an Andijan Protestant, was detained on the street on 9 October by officers he believes were from the NSS secret police. The officers took him to Andijan City Police Department, where he was interrogated in the Criminal Investigation Division (CID) by an Officer Avazbek, who did not give his last name. The officer told Turdiyev that he represented the NSS, Protestants from Andijan told Forum 18. Avazbek questioned Turdiyev on his Christian activities before releasing him the same day.

Both during the 9 October interrogation, as well as several times in September over the phone, Officer Avazbek "pressured Turdiyev to cooperate with him and report on his fellow believers, but he refused to do so", Protestants told Forum 18. The officer "even tried to entice" Turdiyev by offering him "free meals in good restaurants", the Protestants added.

Forum 18 on 23 October reached Officer Avazbek on the same phone number from which he had phoned Turdiyev. He identified himself, but put the phone down when Forum 18 asked which state agency he represented and why he was pressuring Turdiyev. Subsequent calls on 23 October to his phone went unanswered, and later his phone was switched off.

Shukurullo Habibullayev, Chief of Andijan Police's CID, declined to comment on the case on 23 October, saying that he is "not very familiar with the case details," and that "I have several officers working for me with the name Avazbek." He claimed he did not remember which Avazbek conducted the interrogation, and asked Forum 18 to send questions in writing.

The duty officer at Andijan Regional Department of the NSS secret police declined to comment on the case to Forum 18 on 23 October. However, he took down Officer Avazbek's phone number and details, promising that an inquiry would be made about the case.

Collecting information

Turdiyev wrote complaints to a number of state agencies, including to Rustam Inoyatov, Chairman of Uzbekistan's NSS secret police in Tashkent, Andijan Protestants told Forum 18. He complained that NSS officials including Avazbek between September and October "pressured his friends and family members to write statements that Turdiyev is engaged

in illegal missionary activity," as well as "illegally collected information on the religious activity and income of Turdiyev and his family."

Turdiyev wrote in his complaint that the Police and NSS officials "violated his religious freedoms and the privacy of his and his family members' lives" as well as "are attempting illegally to open a case against him to punish him."

Calls to the Head Office of the NSS secret police in Tashkent went unanswered on 23 October.

Administrative case over confiscated book?

Trouble for Turdiyev began on 31 August, when Andijan Traffic Police stopped his car. A Police Sergeant, who did not give his name, "immediately began searching his car, and found in the glove-compartment a Christian book in Uzbek", local Protestants told Forum 18. The Sergeant then called the "other law-enforcement agencies, which came with witnesses, and confiscated the book after drawing up a report."

The confiscated book belonged personally to Turdiyev and he had bought it in 2007 from the officially registered Bible Society of Uzbekistan.

Protestants told Forum 18 that they believe that Andijan City Police is now preparing a case under Administrative Code Article 184-2 (illegal production, storage, import or distribution of religious materials). Punishments under this Article 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".

Andijan Police's CID Chief Habibullayev declined to tell Forum 18 whether or not the Police will go ahead with an administrative case against Turdiyev. "I cannot say this because I need to study the case," he told Forum 18.

Hare Krishna fines

In spring 2013, police raided a Hare Krishna meeting in a private home in a town away from Tashkent, insisting that it was illegal because it was not registered. Officers took the names of all those present, fellow devotees told Forum 18, asking that the individuals and location not be identified. Two devotees were given large fines, with one of them having the money taken directly from state support.

Uzbekistan's Hare Krishna devotees have been able to register only one community, which is in Tashkent. Until 2004 they had two registered communities, but then lost the registration of the second. Because of the highly restrictive Religion Law, which bans all unregistered religious activity, this means that any Hare Krishna activity in Uzbekistan outside the registered Tashkent community is illegal, and anyone leading it or participating in it risks punishment.

Jehovah's Witness fines

Similarly, Jehovah's Witnesses have faced fines in 2013 for exercising their right to freedom of religion or belief.

On 15 February, police in Samarkand summoned Farida Aminova. They then took her back to her home, which they searched without a warrant, Jehovah's Witnesses complained to Forum 18. Officers seized her religious literature and computer. Both she and her mother, Umida Rasulova, were subsequently handed administrative fines by a

local court. Both are believed to have been fined 20 times the minimum monthly wage, 1,591,800 Soms (then 4,440 Norwegian Kroner, 600 Euros or 780 US Dollars at the inflated official exchange rate).

Another Samarkand Jehovah's Witness, Savlat Shakirov, was also summoned on 15 February. Again, police then took him back to his home, where officers confiscated his religious literature and computer' Jehovah's Witnesses told Forum 18. On 5 March, a local court handed him an administrative fine. He is believed to have been fined 30 times the minimum monthly wage, 2,387,700 Soms.

On 8 April, Tashkent police came to the home of Jehovah's Witness Dinara Hosiyeva, ostensibly to check identity documents. Officers claimed she allowed illegal tenants to live in her flat. They entered without her permission, twisted her arms and "screamed obscenities at her", Jehovah's Witnesses complained to Forum 18. Without a warrant, police searched her home and seized her personal religious literature, notebooks and her computer.

Five days later, a Tashkent court handed Hosiyeva an administrative fine. She is believed to have been fined 40 times the minimum monthly wage, 3,183,600 Soms. The court ordered that her computer be confiscated for the state.

Like the Hare Krishna community, Jehovah's Witnesses had just two registered communities until August 2006, when their community in the city of Fergana was stripped of registration. Now it has just one legally-registered community – in Chirchik in Tashkent Region. Dozens of other Jehovah's Witness communities have repeatedly been refused state registration.

Jehovah's Witnesses told Forum 18 they hope an 11 September meeting in Tashkent between two of their representatives from abroad and Artybek Yusupov, chair of the government's Religious Affairs Committee, will lead to improvements in the life of their community.

"Not part of its obligations"?

Uzbekistan renewed its rejection of recommendations to bring its treatment of those exercising their right to freedom of religion or belief into line with its international human rights obligations. During the second part of its Universal Periodic Review (UPR) at the United Nations Human Rights Council in Geneva on 19 September, the Uzbek delegation formally presented its responses to recommendations put forward in April.

Among the many recommendations Uzbekistan rejected was: "Amend the Criminal Code in order to decriminalize missionary activities and to put an end to religious persecution of non-registered religious groups". Uzbekistan claimed that the issue is "not part of its obligations under internationally agreed human rights standards".

Among other recommendations Uzbekistan rejected were: "Eliminate unjustified restrictions on the right to religious freedom and stop persecution of individuals for their peaceful religious activity"; and "End harassment and detention of persons who exercise their rights to freedom of assembly, association, expression and religion and release those currently held on such grounds". The Uzbek government said it was rejecting these because "it considers them factually wrong".

Uzbekistan's then First Deputy Justice Minister Esemurat Kanyazov had verbally rejected calls to end punishments for unregistered religious activity and sharing faith during the UPR consideration of Uzbekistan in April.

Church piano, pulpit, carpet, refrigerator seized

Forum 18 News Service (18.09.2013) - After a Baptist congregation in Uzbekistan's southern city of Karshi had religious literature and church property confiscated in three police raids this year, court bailiffs arrived in late July. This time they seized the Church's piano, pulpit, carpet, refrigerator and seventeen benches, as well as privately-owned property, to meet unpaid fines imposed on the home owner because the congregation chooses to meet without the compulsory state registration. Svetlana Andreychenko told the bailiffs "she had not and will not pay the fine since she does not think she is guilty of a violation," church members told Forum 18 News Service. Asked by Forum 18 why he and his colleagues took away church-owned property which did not belong to Andreychenko, one of the bailiffs was unable to answer. Meanwhile a Tashkent court suit to strip the Baptist Union of its summer camp is due to resume on 20 September. The head of the Regional Department which brought the suit refused to explain to Forum 18 why it did so.

After police seized church property and religious literature in April and June from a Baptist congregation's meeting place in the city of Karshi [Qarshi] in Uzbekistan's southern Kashkadarya Region, court bailiffs arrived in late July. They seized more church property – including its piano and benches – and private property to meet unpaid fines imposed on the home owner because the congregation chooses to meet without the compulsory state registration. Local Baptists, who wished to remain unnamed for fear of state reprisals, complained to Forum 18 News Service that all the confiscations cost them the equivalent of "several thousand US Dollars".

The Karshi Church belongs to the Baptist Council of Churches, whose congregations refuse on principle to register with the state, fearing that it will lead to state interference in their religious affairs.

Uzbekistan's religious communities – whether registered or not – and individuals have long faced insecurity of ownership over their property. Officials regularly seize religious literature, computers, musical instruments and other items.

In a current case, Tashkent Regional Department of Privatisation and Deregulation of Property (DPD) is seeking through the courts to seize a plot of land the officially registered Baptist Union bought in 2000 in Bostanlyk in Tashkent Region and uses for summer camps. The next hearing at Tashkent City Economic Court is scheduled for 20 September (see below).

Church and private property seized

In Karshi, Court Bailiffs arrived on 30 July at the home of Svetlana Andreychenko, member of a local Baptist Church, to seize whatever property they could find, church members complained to Forum 18 from Karshi. Confiscated were the Church's piano, pulpit, carpet, refrigerator and seventeen benches, which were in a hall of the house. Also confiscated was the Andreychenko family's private property, including their refrigerator, electric oven, sewing machine and DVD player with speakers.

Other Church property, including money and religious literature, had earlier been confiscated from Andreychenko's home during police raids in April and twice in June.

Why was Church property seized?

On 30 July, Karshi Court Bailiff Akhtam Yuldashev and another Bailiff came to Andreychenko's home, where the community's worship meetings are held. The bailiffs demanded that she pay the fine given to her in 2012, church members complained to Forum 18.

Andreychenko had been fined 377,520 Soms (then worth 1,168 Norwegian Kroner, 155 Euros, or 200 US Dollars at the inflated official exchange rate) by Karshi Criminal Court in February 2012. Nine other local Baptists were also fined. The Judge also ordered that 23 Christian magazines confiscated from the Baptists be destroyed. All 10 were convicted under Administrative Code Article 240 Part 1 and Article 241.

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 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. Punishments for breaking Article 241 range from fines of 5 to 10 times the minimum monthly salary, or administrative arrest for up to 15 days.

When Andreychenko explained that "she had not and will not pay the fine since she does not think she is guilty of a violation," the bailiffs made several calls to the local Police and Bailiffs administration. A local police officer and another bailiff soon arrived.

The officials then told Andreychenko that since she was refusing to pay the fine, "we must enter the home and make an inventory of the property subject to confiscation for the amount of the fine". They then entered the hall in the house where worship meetings are held.

When the officials "poured out their questions on why the benches are here, what is taught here, and so on". Andreychenko refused to answer. She told them this property is not her private property, church members told Forum 18. Disregarding the fact that the property in the hall was the Church's, the officials took away the Church items, the Baptists complained.

"Take everything from the home"

Then Bailiff Yuldashev summoned five more officials to Andreychenko's home, and after declaring that she had been given another fine in 2013, "commanded: take away everything from the home!"

On 29 May, Judge Otabek Mustafayev of Karshi Criminal Court had fined Andreychenko 50 times the minimum monthly salary, or 3,979,500 Soms (11,500 Norwegian Kroner, 1,500 Euros or 1,900 US Dollars at the inflated official exchange rate) for violating Article 240, Part 1 and 241 of the Code of Administrative Offences.

When Andreychenko "refused to allow the officials in the other rooms, since they did not show any documents authorising the confiscation, they entered through the windows," Baptists complained. They then took out the family's property.

Baptists told Forum 18 that they will file complaints and "are expecting the return of all their property." They also said that they are asking the authorities to "stop persecuting us Baptists and not interfere in our worship services."

Bailiff Yuldashev claimed to Forum 18 that Kashkadarya Court had instructed them to take everything from Andreychenko's home. However, Judge Mustafayev on 17 September denied to Forum 18 that he, the Chair of Karshi Court or any other Court official had given instructions to Yuldashev to confiscate everything. "They are an independent organ, and we cannot give them such instructions."

Yuldashev vehemently denied to Forum 18 that the confiscated property's value is higher than the fine. Asked whether, if the Baptists are fined again in future, the authorities will confiscate the home itself if they find nothing valuable there, he did not answer.

Confiscation without authorisation or official order?

Bailiff Yuldashev defended the confiscations. "We seized her property because she did not pay the fine," he told Forum 18 on 17 September. Asked why the Bailiffs took away property which did not belong to Andreychenko, he could not answer. He also did not say why the bailiffs only now executed the Court decision, which was given 17 months ago in 2012.

Asked why the officials conducted the confiscations without showing Andreychenko any official document, Bailiff Yuldashev claimed that later he sent Andreychenko a copy of the confiscation order. He then declined to discuss the case further with Forum 18.

Baptist camp to be confiscated?

Tashkent Regional Department of Privatisation and Deregulation of Property (DPD) lodged a suit at Tashkent City Economic Court in June to seize back from Uzbekistan's Baptist Union its plot of land in Bostanlyk which it uses for summer camping and recreation for its members. The DPD claims that in 2000 the Baptist Union bought the land illegally and that it should forfeit it for the benefit of the state.

At the 10 September hearing at Tashkent City Economic Court under Judge Malika Kalendarova, the Baptist Union rejected the DPD's claim. The Union told the Court that it bought the land legally from the chain of restaurants by presenting the official certificates, Baptists who wished to remain unnamed for fear of state reprisals told Forum 18 on 12 September.

The Baptist Union also challenged the letter written in 2004 allegedly by a group of local residents against its use of the land. It pointed out to the Court that "first names, other important data such as date of birth and addresses of some local residents, who allegedly signed the letter, are not indicated as well as majority of the signatories are of Kazakh ethnicity, who may not know the Uzbek language and may not even have written or signed it."

The Baptists also told the Court that Bobur Mukaddamov, who represented the Tashkent DPD in the Court, was presented officially as registered in Tashkent, though his permit allowing him to reside in the city expired on 28 December 2012.

The Baptists said that the Court, without going into legal arguments, adjourned the case until 20 September.

No comment

Asked by Forum 18 on 18 September whether the Court will consider the alleged letter from the local residents and how Mukaddamov can represent the DPD while his passport registration is not in order, Judge Kalandarova refused to comment. She insisted she could comment only after a ruling on the case. She also would not say whether she does not view the attempts to confiscate the Baptists' camp as a way to punish them for their religious activity.

Asked why the DPD is pursuing the confiscation of the Baptists' land, Kamoliddin Toirbekov, Head of the DPD, told Forum 18 on 18 September that Mukaddamov represents them in the Court, and that "he could better explain our position".

Asked how Mukaddamov can represent the DPD when he does not have proper passport registration, Toirbekov replied: "He is solving this issue at the moment." Asked whether the authorities are not punishing the Baptists for their religious activity by trying to expropriate their land, he did not say. "Please talk to Mukaddamov."

Mukaddamov's phones went unanswered on 17 and 18 September.

Uzbek authorities raid Christian family summer camps

Recent raids in Tashkent and Samarkand. Police target the annual summer camps organized by the Baptist Union. The Baptists are accused of violating rules relating to the ownership and distribution of religious materials. Samarkand police interrogate even children for over six hours.

AsiaNews(17.08.2013) - The Uzbek government is clamping down further on Protestants. After numerous cases of seizures and destruction of religious material, according to the organization F18, the authorities recently targeted the family summer camps organized by the Baptist community. The first case concerns the Bostanlyk District in the region of Tashkent, where police seized an area owned by the Baptist Union. This past June, the authorities raided the camp seizing religious material and hunting families with children. The police presented a warrant of eviction, claiming that the land was not owned by the community, but the state. The Baptist Union objected to the measure and denounced the violence to the local court, which will issue a decision in the next few days. The heads of the Christian minority argue that all their documents are in order. The community of Bostanlyk had purchased the land of about an acre in 2000 from a chain of restaurants, which in 1993 had taken over the property from the Department of Privatization and Deregulation of Property (DPD).

The DPD - which in 1993 had sold the land to the chain of restaurants - claims that in 2004, some local residents filed complaints, denouncing the alleged "violation of religious and legal norms by the Baptists who have exploited a space used in past as a cemetery. Based on these statements June 18 the DPD began a lawsuit at Tashkent Economic Court, arguing that the Baptist Union must return the land to the state. Jamshid Tursunov, head of DPD presented in person the complaint before the court. His claim is based on a law dating back to 'April 2006, which allows the state to revoke the right to property in some cases.

Another case of violation of private property and religious freedom is linked to a forced eviction that took place on July 23 in the Samarkand region, but the news was released only on August 6. Anonymous sources report that the police raided a camp for children, in the village of Mironkul organized by the local Protestant community. One of the witnesses said that the authorities arrived at the camp with "four bus carrying 80 people,

including officials and police. At least 20 police were in riot gear." The anonymous source says that the raid began at 11 am, "agents raided the camp wielding rubber truncheons, threatening not only adults, but also children. All residents of the camp were subjected to six hours of questioning. Prior to their release agents led nine adults and 22 children to the Mironkul police station for further questioning. "According to the witness officials have seized all the material in the field: laptops, books, posters, four mobile phones, cameras, electric guitars and other materials. The police also confiscated the passports of two Ukrainian citizens without informing their embassy.

88% of the Uzbek population is Sunni Muslim faith while Christians make up 8%. In the country, freedom of religion is subject to strong limitation by the government. The Uzbek law considers detention of religious literature "illegal, only if it is connected to extremism and incites hatred." But the courts often destroy confiscated private materials after the "opinion" of some "experts", who generally define all the books that talk about religion as "extremist".

Ramadan restrictions, violent police assault on Protestant

Forum 18 (02.08.2013) - Uzbekistan is imposing its usual strict restrictions on Muslims marking the month of Ramadan, Forum 18 has found. For example iftar meals in the only part of the country where these are normal, the capital Tashkent, have been banned in an unwritten order. Nonetheless, some – such as Abdurakhmon Tashanov of the Ezgulik (Goodness) human rights organisation – have been able to have iftar meals in Tashkent restaurants, despite fears of state reprisals. In the southern Kashkadarya Region imams do not now preach in mosques. "When they do, they only quote something from [Uzbek President] Islam Karimov's books", Nodir Akhadov of the Human Rights Society of Uzbekistan told Forum 18. Also, in the north-western Khorezm Region police have violently physically assaulted Sardorbek Nurmetov, a local Protestant, and charged him with committing an offence after he insisted on making a formal complaint about police brutality.

Police brutality

On 14 June police Captain Shukhrat Masharipov, Chief of the local police Criminal Investigation Department (CID) in Urgench [Urganch] in the north-western Khorezm Region, stopped Nurmetov in the street near Urgench's railway station. He belongs to an unregistered local Protestant church, and who lives in the Region's Khanki District. Captain Masharipov was accompanied by another unknown officer who would not identify himself.

Under the guise of passport control they took Nurmetov to the nearest police station, where they confiscated a memory stick from him containing Christian materials, local Protestants told Forum 18 on 31 July. "Of course they know who Nurmetov is, and it is no accident that he was stopped by the police", a Protestant who knows Nurmetov told Forum 18.

Police officers then brought Nurmetov to Urgench City Police Station. There, Captain Masharipov five times hit Nurmetov with a thick book on the head and then delivered blows to his head and chest, and kicked his legs. As a result of this, Nurmetov became "dizzy, weakened, and felt like vomiting". Captain Masharipov refused to call for an ambulance, despite Nurmetov's requests for this.

In violation of Uzbek law, Nurmetov was kept at Urgench's main police station from 14.30 to 21.00, and not allowed to move, drink water, or go to the toilet, Protestants told Forum 18.

"Masharipov treated Nurmetov brutally and tortured him, which is a severe violation of his rights and the Criminal Code", a Protestant told Forum 18. Violence and torture, or threats of this, by police and other officials are "routine" the United Nations Committee Against Torture has found.

Home searched

Captain Masharipov and other officers then forcibly put Nurmetov into a police car and took him to his home in Khanka District, about 20 kilometres [13 miles] away from Urgench. With three more policemen from Khanka Police Station, they broke in to Nurmetov's private home where they confiscated Nurmetov's laptop computer, three Christian books and a DVD disk.

Police Captain Masharipov did not answer his office number but refused to talk to Forum 18 on 2 August on his mobile phone, claiming that it is a wrong number.

Hospital collaborates with perpetrators of assault

After the departure of the police, Nurmetov went Khanka District Hospital for treatment for his injuries and to get these formally certified. Doctor Zafar Kalandarov, who received Nurmetov at the hospital, informed the police following which two officers of Khanka Police - one of which took part in the raid on Nurmetov's home - came to the hospital.

When the officers found that Nurmetov wanted to get his injuries formally certified, they forcibly took him from the hospital with no regard to his health. They told Doctor Kalandarov that they were taking Nurmetov to the police station to investigate what had happened.

At Khanka Police Station the officers tried to pressure and talk Nurmetov into not complaining about them and Captain Masharipov. Despite this, Nurmetov did submit a formal complaint at the police station, demanded that action be taken against Masharipov.

Nurmetov was then released and told to go home, even though he asked police to "take him back to the hospital as he felt ill".

Hospital refuses ambulance

Coming home, Nurmetov asked his wife to call for an ambulance. "When they heard the reasons of the call, doctors from Khanka Hospital refused to send an ambulance. They claimed that none were available", local Protestants stated. Nurmetov had to take a taxi to the hospital.

At the hospital, Doctor Kalandarov "fearing police reprisals refused to write a medical report, but gave Nurmetov a painkiller injection after examining the bruises on his body", the Protestants told Forum 18. He then told Nurmetov to go home and undergo outpatient treatment without formally certifying the injuries.

Victim not perpetrator charged

Urgench City Prosecutor's Office commissioned T. Ataniyazov, who local Protestants

described as "an inexperienced probationer instead of a qualified, experienced Prosecutor", to deal with Nurmetov's formal complaint.

Ataniyazov ordered a forensic medical examination of Nurmetov, without, Protestants claimed, "thoroughly investigating Nurmetov's complaint and case files". On 18 June Nurmetov underwent forensic examination, and Ataniyazov sent the results of the examination to Urgench City Police for investigation.

Urgench Police, instead of taking action against Captain Masharipov and others implicated in the crime, opened an administrative case against Nurmetov for illegally storing religious materials in his home.

Nurmetov has also made complaints to Uzbek President and other high state authorities.

Ruslan Bekmetov, the Secretary of Urgench City Court told Forum 18 on 2 August that Judge Makhmud Makhmudov will hear the case on 11 August. Protestants confirmed to Forum 18 that a summons to this effect had been issued to Nurmetov. Asked what part of the Code of Administrative Offences Nurmetov had violated, Bekmetov said that Urgench Police had opened the case but would not give any details.

Asked whether the Court knew about Nurmetov being violently physically assaulted by Urgench Police, Bekmetov replied "No".

Asked whether Judge Makhmudov was available to discuss the case, Bekmetov asked Forum 18 to call back after lunch. When Forum 18 called back, an official who would not give his name stated that the judge was not available and would not connect Forum 18 with other officials.

Urgench City Police on 2 August kept asking Forum 18 to call back several times. One officer on duty, who did not give his name, finally promised "in ten minutes" that he will Forum 18 through to Ikrom Rakhimov, Deputy Chief of Urgench Police. Called back he said that Rakhimov asked for Forum 18's phone number, and that "he is busy and will himself call back."

CID chief already known for freedom of religion or belief violations

Captain Masharipov is already known for violations of freedom of religion or belief, having personally led two raids in January on the home of local Protestant Sharofat Allamova. These led to her being sentenced in April on criminal charges to 18 months' corrective labour, for the "illegal production, storage, import or distribution of religious literature". She has been 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.

Controls on marking Ramadan

Muslims in Kashkadarya Region in southern Uzbekistan are afraid to "organise group prayers in their private homes even during [the current month of] Ramadan", Nodir Akhadov of the Human Rights Society of Uzbekistan told Forum 18 from Karshi [Qarshi] in the Region. He said on 31 July that the authorities "through the mahalla [local district] committees and their spies make sure that group prayers do not take place in homes."

Mahalla committees are the lowest level of administration, and restricting freedom of religion or belief is among their many duties. Many Muslims want to say night prayers together at the end of each day in Ramadan. The authorities have often banned these and iftar meals in restaurants, as well as imposing greater surveillance of mosques, banning night prayers away from mosques.

Iftar is the meal normally taken by groups of Muslims together at the end of their fast each day during Ramadan. In Uzbekistan, Ramadan this year started on 10 July and is expected to finish on 8 August.

Mosques under state surveillance

The authorities in Karshi continue closely monitoring mosques, Akhadov of the Human Rights Society of Uzbekistan stated. Police "film everything, who comes in, who goes out, and if they see any new face they immediately find out from the Imams their names, addresses and phone numbers", he told Forum 18.

This is also happening in Tashkent. Yelena Uralyeva of the Human Rights Alliance told Forum 18 this Friday (2 August) she "saw several cars with police arriving before the midday prayer time at the 'Tura buva' mosque, where over 700 men met to pray". Two police officers stood at the entrance to the mosque checking packages and bags, and four others were secretly filming the men who came to pray.

When Uralyeva took photographs of the police, they stopped her taking further photographs and told her that "mosques are control-accessed enterprises, and all photographing of them is banned."

Doniyor Abdujabbarov, the local policeman who coordinated the police at the mosque adamantly denied to Forum 18 on 2 August that the police filmed Muslims arriving to pray – even though Forum 18 has seen Uralyeva's photographs of them doing this. When asked again why the police filmed people wanting to pray, he replied, "You need to ask the higher organs about these questions, not me."

Asked why police told Uralyeva that mosques are "access-controlled enterprises," and what that means, he said, "I don't know who said that".

Asked why police control activity inside mosques, he stated that they do this based on an order from the Interior Ministry. Under this, "if more than 100 people gather somewhere police should closely control the area for the sake of public safety".

Increased state surveillance of mosques has been a normal part of Ramadan in Uzbekistan. And at all times close surveillance of all religious communities by the NSS secret police, using a wide variety of open and covert methods, is a standard part of Uzbekistan's mechanism of repression.

Restrictions on Islamic preaching

In Kashkadarya Region, imams do not now preach in mosques. "When they do, they only quote something from [President] Karimov's books", Akhadov of the Human Rights Society of Uzbekistan told Forum 18. State bans and restrictions on Islamic preaching – especially in Ramadan – have long been in place.

Abdulaziz Mansur, Deputy Grand Mufti of the officially controlled Islamic religious leadership (the Spiritual Administration of Muslims or Muftiate), was asked by Forum 18 why imams do not give their own sermons in mosques. "We provide them with texts prepared by us, which they preach", he replied on 2 August. Asked why, he said that "some of these Imams are young and inexperienced, and may explain things incorrectly".

Asked what would happen if those who heard the sermons had questions, Deputy Grand Mufti Mansur told Forum 18 that "if attendees ask extra questions, if imams know the answer they say it. If not then they send the questions in writing and we help them."

The Muftiate is under total state control.

The authorities' success in enforcing their restrictions on Muslims exercising their freedom of religion or belief varies from year to year and place to place. In the Region around the capital Tashkent, human rights defenders Yelena Urayeva and Shukhrat Rustamov of the Human Rights Alliance organisation told Forum 18 on 2 August that they "saw people organise iftar meals and attend mosques in large numbers".

But a resident of the eastern Namangan Region, who did not want to be named for fear of state reprisals, told Forum 18 on 1 August that in the past "people were free to celebrate Ramadan, and openly have large iftar meals in our mahalla." They added that "now you don't see any atmosphere of festivity because people are afraid to organise iftar meals. Everyone is confined to their homes where they quietly break their fast."

People are fearful, the resident stated, because of "all the actions of the authorities throughout the years directed at punishing religious believers, and direct orders from local administrations that Muslims must not hold big festivities - especially during Islamic holidays."

Akhadov of the Human Rights Society of Uzbekistan on 31 July told Forum 18 that in Karshi "not many nowadays fast" during Ramadan. This is because "many devout Muslims have left Uzbekistan, and those that are left are afraid to practice their faith because of the pressure from the authorities."

For example, during this current month of Ramadan "some people who dare to practice their faith openly", and who wanted to hold iftar group meals in their homes, were pressured by the authorities not to do so. One example Akhadov gave was of a Muslim who Akhadov knows, and did not want to identify for fear of state reprisals, who had organised an iftar meal for a group of co-residents in their private home. About a week ago they received a phone call from a man who did not give his name, who "threatened the Muslim if he invited people to their home for iftar meals again". The caller, who is thought to be from the National Security Service (NSS) secret police, also used "obscene words."

The Kashkadarya Region administrations refused to discuss the restrictions with Forum 18 on 2 August. Karshi city NSS secret police also refused on 2 August to discuss the issue with Forum 18.

Deputy Grand Mufti Mansur, asked by Forum 18 why the authorities hindered the holding of an iftar meal in a private home, said that "we have not heard about this case, but there may have been other reasons there."

Ban on iftar meals in Tashkent restaurants

Some Tashkent restaurants refused to arrange an iftar meal for Abdurakhmon Tashanov, of the Ezgulik human rights organisation, and his friends. But they still managed to have an iftar meal in one local restaurant, he told Forum 18 on 1 August. He stated that this was because "Tashkent City Administration gave unofficial verbal instructions to restaurants not to arrange for iftar meals for groups of people". He noted that "the owners of the restaurant may know about the ban, but at their own risk arranged the iftar meal". He asked Forum 18 not to name the restaurant, for fear of state reprisals against it.

Tashkent City Administration refused to discuss the restrictions with Forum 18 on 2 August.

Tashanov of Ezgulik told Forum 18 he believes that that the authorities do "not want crowds to gather in public for religious purposes", and so verbal instructions were given

to restaurants. Despite the unwritten ban some restaurants arranged iftar meals.

Deputy Grand Mufti Mansur told Forum 18 that "we usually advise people to organise iftar meals in their private home and not in restaurants, since unbelievers also come there". Asked why people cannot order a separate room in a restaurant, he said that "it is possible but I do not know why those restaurants will not do it."

One Tashkent restaurant Tashanov had not eaten an iftar meal in told Forum 18 on 31 July that the authorities "did not tell us anything about iftar meals". They said that "people ask us, and we arrange it, what is wrong with that". Two other restaurants in different districts of Tashkent told Forum 18 that they "do not mind" Muslims eating an iftar meal there. But they should sit where other people sit and the restaurant will not arrange a separate table or room for an iftar meal. Asked why, one restaurant stated that "the authorities have banned group iftar meals".

Akhadov of the Human Rights Society of Uzbekistan told Forum 18 that arranging iftar meals in restaurants is not common outside Tashkent. This observation has been repeatedly made across Uzbekistan.

"Afraid even to pray alone at home"

The authorities also target Muslims exercising their freedom of religion or belief by age as well as commitment to Islam. Akhadov of the Human Rights Society of Uzbekistan had observed that young men in Kashkadrya Region are "afraid even to pray alone at home". He said that "Muslim men over 60 praying at home are not targeted by the authorities, but young men who are actively praying are targeted".

Young people are similarly particularly discriminated against by not being allowed by the state to go on the haj pilgrimage to Mecca.

There may have been this year a "seeming loosening of strict control". Tashanov of Ezgulik told Forum 18 that police still guard Tashkent mosques monitoring visitors. "But I saw children in the evenings after iftar meals in some Tashkent mosques", he stated.

Children have in the past been banned from attending night prayers in mosques during Ramadan.

Akhadov of the Human Rights Society of Uzbekistan also told Forum 18 that, in contrast to previous years, the supply of electricity and water was not cut by the authorities in Kashkadarya Region when the daily Ramadan fast is being broken. It is unclear whether this practice is being deliberately continued elsewhere in Uzbekistan.

Religious freedom survey, August 2013

Forum 18 News Service (08.08.2013) - In Uzbekistan all exercise of freedom of religion or belief with others without state permission is illegal, Forum 18 News Service's religious freedom survey notes, including sharing any beliefs with anyone and meeting with others for worship or the study of sacred texts in private homes. State officials frequently violate freedom of thought, conscience and belief and interlinked rights such as the freedoms of expression and association – even though the state has made solemn binding commitments to uphold and protect the exercise of human rights.

People of all faiths meeting together to exercise freedom of religion or belief are raided with impunity by "law enforcement" officials. Those taking part in such meetings are very

often threatened, detained, subjected to violent physical assault and torture, given large fines, and have religious literature – including the Bible and Islamic texts - confiscated and destroyed. A severe censorship regime is imposed upon all religious literature. Muslims meeting to study the Koran and learn how to pray at home are likely, if found, to be jailed for long periods. Strict restrictions are imposed both on observing Ramadan and on going on the haj pilgrimage.

Physical violence and torture, or threats of this, appears to be a normal experience for anyone subjected to official hostility – it is "routine" as the United Nations (UN) Committee Against Torture found. But it is for very good reason rare for people to publicly document such experiences, for fear of state reprisals.

Uzbekistan is not a rule of law state, and those subjected to violations of their internationally recognised human rights frequently complain that trials are conducted unfairly, law seemingly being used to provide officials with excuses to engage in oppression. Officials do not appear to see law as imposing restraints on their actions. Indeed, the interlocking nature of violations of freedom of religion or belief and inseparably linked human rights appear designed to impose total state control on all of society.

Context

Uzbekistan has the third largest surface area of the five Central Asian states, and with well over 28 million people has the largest population. Over 80 per cent of the population is thought to be ethnic Uzbeks (regarded as being of mostly Sunni Muslim background), with around 5 per cent of the population being Russians (regarded as being of mostly Orthodox background). The rest of the population is made up of smaller percentages of Tajiks, Kazakhs, and other ethnicities.

President Islam Karimov has run Uzbekistan since the Soviet era, and has never won an election judged free and fair by reputable international observers. Local and international human rights defenders have documented cases of electoral fraud, corruption, and many violations of human rights and the rule of law. Despite very large mineral and other resources, much of the population remains in poverty. The country is one of the largest exporters of cotton in the world, and has for decades used large numbers of adults (including people convicted for exercising freedom of religion or belief) and children (from the age of 10 upwards) as forced labourers to work its cotton fields. All profits go to the state, and environmental pollution is severe.

State control

The state seeks to control every aspect of society, including people exercising freedom of religion or belief alone or with other people. This is why every religious community - with no exceptions - faces freedom of religion or belief violations.

- Islam

Islam, because it has the largest number of followers, is the community the government is most interested in controlling. This control is mainly exercised from the inside, by for example appointing all permitted leaders and banning all public manifestations of Islam outside the state-controlled Spiritual Administration of Muslims, or Muftiate.

There is complete control of the selection, education and nomination of imams, in defiance of Article 61 of the Constitution: "Religious organisations and associations are separate from the government and equal before the law. The government does not interfere in the activities of religious associations". It is virtually impossible for any

potential imam to graduate from a madrassah (Islamic religious college) if they are thought by the state to be critical of the government. There are informers and agents of the National Security Service (NSS) secret police among students, and students have told Forum 18 that they are periodically summoned to be questioned by the NSS about whether any student is making critical comments about the government.

The state through the Muftiate also controls what imams preach, and the number and location of mosques. One human rights defender, Nodir Akhadov of the Human Rights Society of Uzbekistan, told Forum 18 that in his region, Kashkadarya in the south of Uzbekistan, imams do not now preach in mosques. "When they do, they only quote something from [President] Karimov's books", he stated in August 2013. Abdulaziz Mansur, Deputy Grand Mufti of the Muftiate, was asked by Forum 18 why imams do not give their own sermons in mosques. "We provide them with texts prepared by us, which they preach". Asked why, he said that "some of these Imams are young and inexperienced, and may explain things incorrectly".

- Ramadan

Ramadan each year sees even stricter than usual controls on Islamic communities. In the current 2013 Ramadan, Muslims in Kashkadarya Region in southern Uzbekistan are afraid to "organise group prayers in their private homes even during Ramadan", Nodir Akhadov of the Human Rights Society of Uzbekistan told Forum 18. He said that the authorities "through the mahalla [local district] committees and their spies make sure that group prayers do not take place in homes."

Many Muslims want to say night prayers together at the end of each day in Ramadan. The authorities have often banned these and iftar meals in restaurants in the capital Tashkent (the only place this normally happens), as well as imposing greater surveillance of mosques, banning night prayers away from mosques. (Iftar is the meal normally taken by groups of Muslims together at the end of their fast each day during Ramadan.)

"Some people who dare to practice their faith openly", and who wanted to hold iftar group meals in their homes, were pressured by the authorities not to do so. One example Akhadov gave was of a Muslim who Akhadov knows, and did not want to identify for fear of state reprisals, who had organised an iftar meal for a group of co-residents in their private home. About a week ago they received a phone call from a man who did not give his name, who "threatened the Muslim if he invited people to their home for iftar meals again". The caller, thought to be from the NSS secret police, also used "obscene words."

The authorities in Karshi continue closely monitoring mosques, Akhadov of the Human Rights Society of Uzbekistan stated. Police "film everything, who comes in, who goes out, and if they see any new face they immediately find out from the Imams their names, addresses and phone numbers", he told Forum 18.

This also happens in Tashkent. Yelena Urayeva of the Human Rights Alliance told Forum 18 that she "saw several cars with police arriving before the midday prayer time at the 'Tura buva' mosque, where over 700 men met to pray". Two police officers stood at the entrance to the mosque checking packages and bags, and four others were secretly filming the men who came to pray. When Urayeva took photographs of the police, they stopped her taking further photographs and told her that "mosques are control-accessed enterprises, and all photographing of them is banned." Doniyor Abdujabbarov, who was in charge of the police at the mosque, was asked why police filmed people wanting to pray. "You need to ask the higher organs about these questions, not me", he replied.

- The haj

Uzbekistan routinely imposes severe restrictions on how many pilgrims could take part in the annual haj pilgrimage to Mecca in Saudi Arabia. Only 5,080 out of a potential quota of about 28,000 allocated by the Saudi authorities (based on Muslim population numbers) travelled to Mecca in 2011. This is about the average annual figure from Uzbekistan. About as many pilgrims travelled from Kyrgyzstan, which has only about one fifth of Uzbekistan's population. An official of one Uzbek mahalla (local district), with between 3,000 and 7,000 residents, told Forum 18 News Service that "several people are on the waiting list but maybe only one will go." An "unwritten instruction" bans would-be pilgrims under the age of 45.

Pilgrims are officially screened. An application to go on the haj is made in writing, with a copy of the applicant's passport. Each mahalla committee submits to the local administration its list of applicants for the haj. Local administrations, along with the NSS secret police, the Muftiate and the state Religious Affairs Committee check each applicant and endorse or reject the application. The central mahalla of a district then compiles a waiting list of applicants. When applicants' turn to go on pilgrimage comes up, they are invited to the local district administration and instructed to collect more documents, including certificates of their place of residence, their health, and a reference letter from their local mahalla committee. The letter gives information about their personal qualities and charitable works.

Even successful passage of this process does not guarantee a haj pilgrimage. Uzbekistan uses exit visas – a Soviet-era idea - to control which of its citizens are allowed to leave the country. Citizens need an exit visa every two years to visit any other country apart from several former Soviet republics. The state Religious Affairs Committee maintains an exit blacklist – for example of human rights defenders – who may not be allowed to travel.

Special instructions are given to successful applicants on how to behave on pilgrimage, including not to talk to foreigners. These instructions are typically given at meetings for all approved pilgrims. NSS secret police officers reportedly accompany the haj pilgrims.

It is also said in Uzbekistan that successful applicants are arbitrarily removed from the pilgrimage and replaced with the friends or family members of officials. An Imam outside Tashkent, who did not wish to be named for fear of state reprisals, complained that "unofficial payments" more than doubled the cost of the haj. "The number of applicants would be much, much higher if the cost was not so high," he stated.

- Other religious communities

For other religious communities, the state's primary interest is to keep them within closely controlled geographic and activity related boundaries. Against international human rights standards, the state makes the exercise of rights such as freedom of religion or belief dependent on state permission. All exercise of freedom of religion or belief with others without state permission is an offence.

- Registration a weapon against freedom of religion or belief

Religious communities of all faiths which want to gain state permission to exist must pass through the complex registration procedure. This institutionalises obstacles to exercising freedom of religion or belief. To gain state registration, communities must first have 100 adult Uzbek citizens willing both to be identified as founders and to supply their personal details to the authorities. They must also pay a non-refundable fee equivalent to 50 times the minimum monthly wage. Then, religious organisations must submit two letters of guarantee: one from the district hokimat (administration), confirming that the organisation to be registered has a building which corresponds to public health and fire

safety requirements; and one from the mahalla committee (the lowest level of district administration), stating that other mahalla residents do not object to the organisation.

The written approval of both the relevant local hokimat and mahalla is necessary before a religious community can even apply for state registration from the Ministry of Justice.

Mahalla committees, theoretically independent but in practice under state control, are used to maintain controls over religious believers of all faiths, and have been used to block registration attempts by Protestants and Jehovah's Witnesses. They are also used in periodic crackdowns on all religious communities, as well as to monitor members of the majority Muslim community by vetting applications from Muslims who want to make the haj pilgrimage. Public health, fire safety, and similar regulations have also been used to bar registration and to harass religious communities, through inspections allegedly to check whether registered communities are observing regulations.

All non-Russian Orthodox and non state-controlled Muslim exercise of freedom of religion or belief is banned in the north-west region of Karakalpakstan [Qoraqalpoghiston].

The ban on the unregistered exercise of freedom of religion or belief is underpinned by various articles in the Criminal Code and the Administrative Code. For example, Administrative Code 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 unauthorised organisation and conduct of worship by religious ministers, 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". Punishments range from fines of 50 to 100 times the minimum monthly salary to administrative arrest for up to 15 days.

Even when a religious community has followed the state's demands and obtained permission to exist from a local authority, registration – and hence permission to carry out any religious activity - can still be refused. This has happened in the case of the Eskhol Full Gospel Church in Tashkent, which has repeatedly been denied state registration. Officials have claimed that the Church's "letters of guarantee", or formal permission to function in a geographic area, from the Hokimat of Tashkent's Chilanzar district and from the First Katta Mahalla Committee did not correspond to official requirements.

However many religious communities do not get as far through the application process as this. When Jehovah's Witnesses in the town of Kagan, on the outskirts of Bukhara [Bukhoro], tried to register between 2006 and 2008, they faced harassment, a police raid and the 10 community members were threatened with death and each given fines of five years' minimum wages. Bailiffs made repeated visits to confiscate property to pay the fines.

Registration of new communities or communities which have long existed but which the government does not like remains almost impossible. It also does not guarantee that they will keep registration and stay open if granted registration – even if they comply in full with all the authorities' formal demands. Many mosques have reportedly been closed or stripped of their registration in rural areas. For example, one independent human rights defender – who wished to remain anonymous for fear of state reprisals - told Forum 18 of a small mosque in Gulistan Mahalla in the southern Kashkadarya Region's Nishan District. This was built by local Muslims on their own initiative, but was then stripped of its registration in June 2009. Local Muslims were "advised" by the local Justice Department to re-register the mosque as a tea house. Similarly, Protestants have noted that some of their communities have been stripped of registration for no known reason, a

fate also suffered by Jehovah's Witness, Hare Krishna and Baha'i communities. Many religious communities of all faiths have tried unsuccessfully to gain registration.

The experience of many communities, registered or unregistered, is that repression can occur at any time, with no regard for whether or not a community is registered. For example, police and NSS secret police raids, or expulsions of Muslim, Protestant and Hare Krishna university students affect followers of registered or unregistered communities.

If communities are registered, they are subject to extra-legal demands from the authorities. A three page April 2007 document from Andijan [Andijon] regional Hokimat, seen by Forum 18, revealed the extent to which state officials expect religious communities to obey them. Amongst other directives, a Protestant pastor was ordered to draw up a plan with the state Religious Affairs Committee "to prevent missionary activity." Regional representatives of the Muftiate and of the state Religious Affairs Committee are ordered to "to bring under constant close observation all officially registered religious organisations" and "to strengthen the struggle with people conducting illegal religious education and organising small religious gatherings." Officials refused to discuss with Forum 18 why, although religion and state are formally separate, officials issue orders to religious communities. Echoing Soviet times, officials see no reason not to interfere in the internal life of religious communities, and expect that their orders will be obeyed.

Communities like the Council of Churches Baptists who - as is their right in international law - refuse to be registered with the state are targeted for raids and large fines. They refuse on principle to register, as they have found that registration leads to unwarranted state interference in normal religious activities.

Speaking in April 2013 in Geneva at the UN Human Rights Council Universal Periodic Review of Uzbekistan, First Deputy Justice Minister Esemurat Kanyazov rejected criticism of the requirement that religious communities - and other non-governmental organisations - must gain state registration. "We have a procedure of requiring permission." He stressed that religious organisations - along with NGOs and commercial organisations - must have registration. But he denied any problems in achieving registration, insisting: "I don't believe the procedure is difficult".

Religious communities - whether Muslim or of other faiths - are not able to buy, build or open places of worship freely. Some places of worship have been confiscated. Currently, the state is moving to deprive the registered Baptist Union of the "Joy" Summer Camp it owns in Tashkent Region's Bostanlyk District. Raids on Christian children's camps took place this summer and also in the past. Raids in 2009 on the "Joy" summer camp were associated with a state-imposed forcible change of leadership of the Baptist Union; it remains unclear why this change was imposed.

Ways used to isolate religious communities from their co-religionists abroad include refusals to renew visas - used in 2008 against Uzbekistan's Chief Rabbi - and expulsions - used against Protestants and Jehovah's Witnesses. Two long-term residents of Uzbekistan born in the country but who held foreign passports - Jehovah's Witnesses Yelena Tsyngalova and Oksana Shcherbeneva - were deported in summer 2012 to punish them for discussing their faith with others.

Even those who flee the country face Uzbek government attempts to have them sent back for trial. Recent cases include a Protestant, Makset Djabbarbergenov, who gained UN High Commissioner for Refugees refugee status in Kazakhstan, and imam Khabibullo Sulaimanov who fled to Kyrgyzstan. Both were claimed to be Islamist terrorists.

Surveillance

State officials are acutely interested in controlling all exercise of freedom of religion or belief. So the NSS secret police carries out both covert and open surveillance of all religious communities. Members of a variety of religious communities have told Forum 18 of hidden microphones in places of worship, the presence of NSS agents during meetings for worship, and the recruitment of spies within communities – including among leaders.

NSS agents "have a vehicle with tinted windows, and ten minutes before the end of the service they wind down the window enough to allow them to film everyone leaving," one Christian reported. "The NSS especially tries to recruit among the leaders, trying to find out how what's going on within each community, who is going where, how much money each gets, where the community gets its money from," another source told Forum 18.

Censorship

Religious literature in Uzbekistan is under tight state control. The import and production of literature – including the Koran and the Bible - is strictly controlled, with compulsory prior censorship by the state Religious Affairs Committee. The International Post Office confirmed to Forum 18 in 2007 that imported copies of the Koran in Arabic were censored by the state Religious Affairs Committee. Only registered communities can seek permission to print or import material.

Relatively little literature about the majority Islamic faith is allowed to be published, and none is imported officially. Some Islamic books are no longer published, such as Imam Muhammad ibn Ismail al-Bukhari's book "Sahih al-Bukhari". This is a collection of hadiths which Sunni Muslims regard as the most authentic compilation.

Censorship of religious literature is required under Article 19 of the Religion Law. This bans the "manufacture, storage and distribution of printed items, films, photographs, audio and video recordings and other materials containing ideas of religious extremism, separatism and fundamentalism". It also states that: "Delivery and distribution of religious literature published abroad is done after expert analysis of its contents is carried out in the order prescribed by law."

Publication and distribution of religious literature within Uzbekistan is also subject to compulsory prior censorship. Administrative Code 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". Criminal Code Article 244-3 bans "illegal production, storage, import or distribution of religious literature". It carries – if there has been a previous administrative conviction - a maximum sentence of a fine of between 100 and 200 times the minimum monthly wage, or up to three years' imprisonment.

Religious literature – whether Muslim, Christian, Jehovah's Witness, Baha'i or of other faiths – is routinely confiscated in police raids on places of worship and private homes. Even legally imported materials as well as Uzbek-produced material that has passed the censorship are confiscated. The state Religious Affairs Committee routinely tells prosecutors and courts that such literature is "extremist", "banned" or "not for use outside a registered religious community". Either the state's Religious Affairs Committee or - in provincial areas - teachers at local university philosophy departments decide whether religious material should be banned by producing so-called "expert analyses".

Court often ignore legal violations in "expert analyses". For example, a November 2012 "analysis" prepared by Begzod Kadyrov, Chief Specialist of the government's Religious

Affairs Committee claimed he had within one day read 1,300 books, 2,100 brochures, 450 leaflets, 50 magazines, watched 200 video cassette tapes, and listened to 350 audio cassette-tapes. "This beats the Guinness Book of Records", a local Protestant observed to Forum 18. Violations of legal procedure are commonplace in such cases, such as when a court ordered a Bible and New Testament destroyed after an "expert analysis" by an official of the local Muslim Board. This occurred even though the Religious Affairs Committee is the only body authorised to conduct such "analyses".

Such alleged "expert analyses" are routinely used as an excuse to confiscate any book the authorities decide to confiscate. Numerous court verdicts seen by Forum 18 order that such literature – including Muslim books or Christian Bibles – be destroyed. This is normally by burning. "We will continue to fine you and burn your literature", one police officer in Tashkent told local Baptists in July 2009.

Uzbekistan's postal authorities actively collaborate in censorship of publications sent from abroad. One customs Inspector told Forum 18 that 80 to 90 per cent of all imported or posted religious literature confiscated is Muslim. 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. "I do not understand why normal religious books need to be confiscated or destroyed", a post office employee told Forum 18. But, they continued, "we are small persons, and need to obey orders". Information from abroad on the internet which the authorities dislike, including Forum 18's own website, also continues to be blocked.

Many followers of a variety of beliefs are afraid to keep religious literature in their homes, a cross-section of people have told Forum 18. Baptists, for example, told Forum 18 in June 2013 that "Church members have repeatedly been warned recently that keeping a Bible at home is allowed, but reading it can only be done at specially designated places for carrying out religious rituals". Such warnings are set out in "expert analyses" of confiscated literature by the government's Religious Affairs Committee, and presented to courts to justify confiscations and fines on owners.

Officials often ignore published law in carrying out raids, prosecutions, and punishments against people who keep religious literature without state permission in their homes. "You won't find this in any law", another Protestant – who asked not to be identified for fear of state reprisals – pointed out to Forum 18 in July. Many Christians have hidden their religious literature, the Protestant noted. Other Christians have taken all the books they have to state-registered places of worship. The state's pressure is so strong that some believers think they have no choice but to destroy their own sacred texts. For example, the Protestant also cited with distress cases where individuals have reluctantly destroyed their own Christian books, including Bibles. "I personally know of three such cases," the Protestant told Forum 18. "Many other Christians said to me they can't bring themselves to destroy their Bibles."

Studying sacred texts with others and praying together with them in a private home can lead to severe punishments. This is especially so for Muslims, who face long jail sentences for this "offence". Followers of other faiths, such as Christianity, are typically given large fines for this "offence". In a May 2013 case, one Protestant was 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".

The de facto state ban on religious literature in private homes causes particular difficulties for those who do not have state-registered places of worship. Council of Churches Baptists, for example, refuse to seek state registration, arguing – in line with international human rights law – that permission is not necessary to meet for worship. Contrary to Uzbekistan's international human rights obligations, the state therefore bans

Council of Churches Baptists from having places of worship where religious literature might be kept.

It appears that charges of the illegal possession of religious literature are being used as an excuse to punish people exercising their freedom of religion or belief in other ways. For example, in the case of Protestant Sardorbek Nurmetov (see below) he was first detained on the street by police, then taken to a police station to be tortured, and only then was his home searched for allegedly illegal literature. Also, charges for this "offence" were only brought after he made a formal complaint about police brutality. Forum 18 knows of other cases where searches of homes for allegedly illegal literature and charges for this "offence" only happened after the people concerned were targeted by the authorities.

Denials of access to sacred texts and the possibility of openly praying with others does not stop if someone is jailed. Prisoners of conscience and ordinary prisoners have both experienced being banned from praying openly or reading religious literature such as the Koran or Bible.

Torture

Violence and torture, or threats of this, by police and other officials are "routine" the United Nations Committee Against Torture found in 2007. This continues. Asphyxiation with a gas mask – known in police slang as the "little elephant" - is a common torture in police stations. "The detainee has the impression that the officers are going to kill him," a human rights defender told Forum 18 in August 2012. "Even the strongest person can hold out for no more than 30 seconds."

Forum 18 notes that the many victims (including children) of Uzbekistan's widespread use of torture normally choose not to complain or make their suffering public, because of the traumatic nature of their experiences, fear of state reprisals, and strong social pressures against women in particular speaking out about male violence. In addition, cultural traditions of "honour" can destroy a woman's good name if she is known to or thought to have been the victim of sexual violence or even if she has been alone – for example overnight - with male police officers who are unrelated to her.

Occasionally on the record, and frequently off the record, Forum 18 is told of the threat or use of torture, including rape. Such methods are used to try to force adults and children to renounce their beliefs or to make confessions implicating themselves or others.

Torture and threats usually follow after the frequent police and secret police raids against unregistered religious communities. For example, officers in Khorezm Region in July 2012 made Jehovah's Witness paediatrician Gulchehra Abdullayeva stand facing a wall for four hours with no food or water while the temperature was above 40 degrees Centigrade. The officers forced Abdullayeva to put on the gas mask, but she was unable to do so. They then forcibly put it on her, bruising her and causing a black eye, to block her air supply. She was also fined five times the minimum monthly wage. Police also gave her a pre-prepared statement about her involvement in Jehovah's Witness activity for her to sign, and asked her for information about her fellow Jehovah's Witnesses. Abdullayeva has formally complained about the torture to four state agencies and the UN.

Torture used against those arrested for exercising their freedom of religion or belief – including Muslims, Christians and Jehovah's Witnesses – has also involved "informal" methods. These include severe physical violence, leading to concussion accompanied by police pressure on hospitals not to treat victims.

Women in particular are often targeted by such assaults, including sexual violence. In a not untypical incident in 2010 - the month, location, belief involved and details of which are confidential - female religious believers detained during a police raid were threatened with having their clothes forcibly removed, being tortured with electricity, and then pictures of them being raped by male criminals being made public.

Some religious communities suspect that women are increasingly being targeted by the authorities. "Ever more frequently, not only brothers but sisters too suffer persecution," Baptists told Forum 18 in July 2013. This pattern of male officials particularly targeting women has been experienced by many people in Uzbekistan.

Formal complaints about torture are ignored. Sardorbek Nurmetov, a Protestant in the north-western Khorezm Region, was in June 2013 hit at a police station five times with a thick book on the head and chest, and his legs were kicked. As a result of this, Nurmetov became "dizzy, weakened, and felt like vomiting". Police refused his requests to call an ambulance. After he went to hospital on being released, the hospital - who refused to send an ambulance when they realised it was to help a torture victim - themselves informed police who took Nurmetov to a police station to pressure him into not complaining. Despite this, Nurmetov did submit a formal complaint at the police station, demanded that action be taken. Urgench [Urganch] Police, instead of taking action against those implicated in the crime of torture, opened an administrative case against Nurmetov for illegally storing religious materials in his home.

Children

Police and schoolteachers have told children that if they attend any place of worship - including mosques and churches - they will be punished. For example, in November 2010 the authorities in Angren warned local registered religious communities not to be involved in unspecified "proselytism" and "missionary activity", as well as not to allow children and young people to take part in meetings for worship, Saidibrahim Saynazirov, Deputy Head of the Administration, made these demands at a meeting of representatives of a variety of religious communities. He also demanded that the communities provide him with lists of their members. When asked what legal basis he had for his demand for membership lists, Saynazirov told the meeting "it's not in the law but we recommend that you do it".

Saynazirov claimed to the meeting that on his initiative the authorities closed a mosque which was attended by school pupils for Friday prayers, and the Imam of the mosque was fined. He did not identify the mosque or imam. Two weeks before the meeting, Saynazirov and local police raided the local Baptist church's Sunday morning meeting for worship. Two schoolgirls present were later called to a police station and pressured to write statements against the Church's Pastor Vyacheslav Gavrillov, and to stop attending the Church.

In another example, in November 2009 police in south-east Uzbekistan began a campaign against children attending places of worship. The authorities' campaign, which also used the state-controlled mass media, attacked schools and parents who allow children to attend religious "sects" and mosques. Baptist and Jehovah's Witness children were summoned and threatened by police and mahalla committees. Measures against Muslim children were ostensibly taken to stop them from attending Friday prayers in school time, but Forum 18 found that the measures were in practice aimed at preventing them from attending mosque at any time. Three school headteachers confirmed to Forum 18 separately that none of their children attend mosque even outside school hours, two of them declaring bluntly to Forum 18: "Children are not permitted to attend mosque." Asked why they cannot do so, one headteacher told Forum 18: "Because they are still children." The campaign took place as the authorities used a film, "In the Clutches of

Ignorance", to encourage intolerance of members of smaller religious communities, including Jehovah's Witnesses, Seventh-day Adventists, Presbyterians and Methodists.

Official imams have complained that they cannot teach Islam to children. Non-state controlled religious education is forbidden. For example, in June 2013 a Muslim father and son who taught the Koran to school-age children in Tashkent Region were prosecuted. Both men - Mirmuhiddin Mirbayzaiyev and his son Sirojiddin - face the possibility of up to three years in jail. Parents who brought their children to the Islamic religious lessons were fined.

Religious tolerance?

Officials claim that religious tolerance flourishes in the country. But state-run TV has repeatedly shown films – which school and university students are strongly encouraged to watch - inciting intolerance and hatred against members of smaller religious communities - especially those said to share their beliefs with others. Other state-run media, such as newspapers and websites, similarly encourage religious intolerance and hatred. Raids on and fines imposed against members of smaller religious communities can accompany such media campaigns, but it is unclear whether there is a direct link. Such raids and fines are common, irrespective of what may be found in the media.

"Legal" framework a symptom not a cause of human rights violations

When the harsh 1998 Religion Law was adopted, President Islam Karimov claimed it was necessary to counter "Wahhabis" - a term that has been widely used by officials to denote groups they do not like, including even Jehovah's Witnesses, non-state favoured devout Muslims, and Islamist militants. President Karimov stated in a 1 May 1998 speech, broadcast nationwide, that "such people must be shot in the forehead. If necessary, I'll shoot them myself." Such remarks indicate that the laws are a symptom of why freedom of religion or belief violations take place, not the root cause of such violations. The root cause would seem to be the state's wish to control all of society, combined with a culture of impunity for officials carrying out unjust and oppressive actions.

Numerous articles in the Religion Law, Criminal Code and Code of Administrative Offences are used to punish anyone exercising their freedom of religion or belief. As mahalla Chair Nurmina Askarova, who took part in a raid on Baptists meeting for worship without state permission, put it to Forum 18 in February 2012: "we told them to attend another church in Chirchik, which is registered." She went on to claim that "we treat everybody equally, both Christians and Muslims", stating that "we closed a mosque in our mahalla, for instance, and asked worshippers to attend a mosque which is both bigger and registered in the neighbouring district".

Legal charges brought against people do not necessarily reflect what they actually did. This can lead to people being charged using laws punishing the exercise of freedom of religion or belief, when this freedom is not involved in the actions they actually carried out. It can also, as noted below, lead to accusations of violence being made against people without there being any credible evidence that they carried out or have any sympathy with acts of violence.

Similarly, in Uzbek "laws" there are often no clear definitions of the "offences" banned, such as "proselytism" or "missionary activity". This leaves much room for frequently exercised arbitrary official interpretations.

The unregistered exercise of freedom of religion or belief is banned under Article 8 of the Religion Law. states that "a religious organisation has the status of a juridical person and

can only carry out its activities after registration by the judicial agencies." This making of the exercise of human rights dependent on state permission is contrary to the International Covenant on Civil and Political Rights, ratified by Uzbekistan in 1995. Article 8 also states that a central agency of a religious organisation must be registered by communities "in at least eight territorial divisions of the republic of Uzbekistan (a region, the city of Tashkent or the Republic of Karakalpakstan)". The Russian Orthodox, the Baptist Union (as against unregistered Baptists), Catholics and Pentecostals are currently the only smaller religious communities with a central administration. As the majority of smaller communities have not managed to be registered in eight territorial divisions, they have no right either to exist.

Article 9 therefore also bars communities from carrying out normal activities, for example run a religious educational establishment. Similarly, Article 10 of the Religion Law states that "religious educational establishments acquire the right to operate after registering with the Justice Ministry and receiving the appropriate licence. (..) Persons teaching religious subjects at religious educational establishments must have a religious education and carry out their work with the permission of the appropriate agency of the central administration."

Fines for a wide range of manifestation of freedom of religion or belief - including activity without state permission - are generally 50 to 100 times the minimum monthly wage. The numbers and scale of raids and fines imposed on members of smaller religious communities may be increasing. Raids are usually accompanied by the seizure of all religious literature police can find, while participants are often threatened or beaten. Many raids on religious communities - including a July 2012 Sunday morning raid on a Protestant family singing hymns with a friend in their own home - are justified as "anti-terrorist activity," although police - if prepared to comment - are often unable to specify to Forum 18 what threat such raids are supposed to stop.

In addition to fines, punishments under the Administrative Code for the "illegal" exercise of freedom of religion or belief can involve short-term detention of between 3 and 15 days, which has been irregularly used against Protestants, Jehovah's Witnesses and Baha'is. Before her June 2012 deportation, Jehovah's Witness Shcherbeneva was sentenced to 15 days' imprisonment with the costs of imprisonment to be deducted from her. However, fines are a more common punishment.

Other "laws" used to prosecute people exercising their right to freedom of religion or belief include:

- Administrative Code Article 201, Part 2 banning: "Violation of the procedure for holding religious meetings, street processions, or other religious ceremonies". This is punishable with a fine of between 60 and 80 times the minimum monthly salary, or administrative arrest of up to 15 days.

- Administrative Code Article 202 banning: "Granting to the participants of unsanctioned gatherings, meetings, and street demonstrations premises or other property (means of communication, copying and other machines, equipment, transportation), or the creation of other conditions for conducting such activity" is punished with a fine of between 50 and 100 times the minimum monthly salary for ordinary citizens, and between 70 and 150 times the minimum monthly salary for officials.

- Criminal Code Article 218-1, which bans: "Inducement to participate in the operation of illegal public associations, religious organisations, movements, or sects". This carries penalties of between a fine of 25 times the monthly minimum wage and three years corrective labour. It has occasionally in the past been used against Jehovah's Witnesses.

- Administrative Code Article 194, Part 1 banning: "Failure to carry out the lawful demands of a police officer or other persons carrying out duties to guard public order". Punishments are a fine of up to twice the minimum monthly salary.
- Administrative Code Article 195 ("Resisting the orders of police officers") carries punishments of between four times the minimum monthly salary and 15 days detention.
- and Criminal Code Article 218-1, which bans: "Inducement to participate in the operation of illegal public associations, religious organisations, movements, or sects". This carries penalties of between a fine of 25 times the monthly minimum wage and three years corrective labour. It has occasionally in the past been used against Jehovah's Witnesses.

Although members of smaller religious communities are often fined, they are not - unlike Muslims - frequently brought to criminal trial and jailed. An exception is Tohar Haydarov, who received a 10-year sentence on drug-related charges in March 2010 which his fellow Baptists insist were fabricated to punish him for his exercise of freedom of religion or belief. Pentecostal pastor Dmitry Shestakov was freed in January 2011 after completing a four-year sentence for leading an unregistered religious community. Also imprisoned have been Jehovah's Witnesses.

Sharing any beliefs with anyone is punishable under a variety of laws. These include:

- Article 5 of the Religion Law, which states that: "Actions aimed at attracting believers of one confession to another (proselytism) are forbidden, as is other missionary activity";
- Administrative Code Article 240 ("Violation of the Religion Law") Part 2, which bans "attracting believers of one confession to another (proselytism) and other missionary activity". Punishments are fines of between 50 and 100 times the minimum monthly salary, or administrative arrest for up to 15 days;
- Administrative Code Article 241, which 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.
- and Criminal Code Article 216-2, which states that: "attracting attracting believers of one faith to another (proselytism) and other missionary activity, will, after the application of penalties under the Code of Administrative Offences for similar activities, be punished by a fine of between 50 and 100 times the minimum wage or up to six months' detention or up to three years in prison". This was one of the Articles used against devout Muslim Khayrullo Tursunov, extradited back to his native Uzbekistan from Kazakhstan in March 2013 against the express wishes of the UN Committee Against Torture, who was in June given a 15-year jail sentence for the alleged "extremist" exercise of freedom of religion or belief.

Reinforcing the bans on sharing beliefs and on religious small groups, Criminal Code Article 229-2 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 50 to 100 times the minimum monthly salary, and corrective labour or imprisonment for up to three years.

First Deputy Justice Minister Kanyazov, speaking at the April 2013 UN Human Rights Council Universal Periodic Review of Uzbekistan, rejected calls for sharing beliefs to be

decriminalised. "For us, inter-confessional accord is the most important thing. It's a delicate question. Any violations, any wrongdoing in this area could lead to unforeseeable consequences," he claimed.

Kanyazov stated – without explaining why this claim was relevant – that 90 per cent of the population is Muslim. "Decriminalisation of missionary activity could have very negative consequences. Our legislation is completely appropriate for us." He did not explain what "negative" or "unforeseeable" consequences would happen, if Uzbeks were allowed to speak freely about their beliefs with other Uzbeks.

Article 216-2 of the Criminal Code also bans "illegal religious activity, evasion of registration of a religious organisation's charter by its leaders, conducting special meetings for young people, work groups, and other circles and groups, unrelated to worship, by religious leaders and members of religious organisations." Punishments range from a fine of between 50 and 100 times the minimum wage, up to six months' detention, to up to three years in prison

Muslims exercising their freedom of religion or belief have been prosecuted under many of the above articles, but appear to be more likely to be prosecuted under the Criminal Code. Articles mainly used against Muslims include:

- Article 156 ("acts intended to humiliate ethnic honour and dignity, insult the religious or atheistic feelings of individuals, carried out with the purpose of inciting hatred, intolerance, or divisions on a national, ethnic, racial, or religious basis, as well as the explicit or implicit limitation of rights or preferences on the basis of national, racial, or ethnic origin, or religious beliefs"). This Article has also been used against members of smaller religious communities. As Protestants within Uzbekistan have noted, the state's own incitement of religious intolerance and hatred violates this part of the Criminal Code.

- Various parts of Article 159 ("Attempts to change the Constitutional order"), punishable by up to 10 years in jail. Parts of this Article penalise the use of violence, such accusations often being made against Muslims irrespective of what they did;

- Article 242 ("Organisation of a criminal society"), punishable by up to 15 years in jail;

- Article 244-1, Paragraph 3, which bans: "Dissemination of materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating panic among the population, as well as the use of religion for purposes of breach of civil concord, dissemination of calumnious and destabilizing fabrications, and committing other acts aimed against the established rules of conduct in society and public order". Point a specifies "with previous planning or by a group of individuals". This Article was used in November 2012 to convict nine men in Tashkent Region whose only "offence" was to meet together to study the Koran and learn to pray;

- and Article 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations"). This Article was used in December 2010 to sentence 19 Muslim prisoners of conscience to between three and nine years in jail. Their "offence" was to belong to Shohidiya, an Islamic religious movement which follows the Koran but not the hadiths. The Article was also used in attempts to extradite Protestant Pastor Makset Djabbarbergenov from Kazakhstan, and former imam Khabibullo Sulaimanov from Kyrgyzstan. Both were accused by Uzbekistan of being Islamic fundamentalists and terrorists.

Unfair trials

Trials for breaking laws are often conducted unfairly, and officials who violate laws supposedly defending human rights appear never to be prosecuted or punished in any other way. A typical example was the June 2013 trial of two Baptists from Gazalkent in Tashkent Region for leading a meeting for worship without state permission. After a police raid, nine Baptists had been detained and threatened with violence by police but the court ignored this. After a three-minute court hearing Judge Ikrom Obidov fined Nikolai Savorovsky 80 times the minimum monthly salary, and Timur Zagvozdin four times the minimum monthly salary. Protestants close to the case also complained that Judge Obidov's decision stated:

- that Zagvozdin had no citizenship, when he is a citizen of Uzbekistan;
- that a named Russian/Uzbek translator had been present at the hearing, but no translator was present;
- and that two police officers who had participated in the raid – Shalovat Abdurashidov of the Criminal Investigation Department and Timur Umarov – had been questioned in court, but they were not present in court.

Officials including the Judge refused to discuss the case with Forum 18.

Prisoners of conscience

Many Muslims have been given long prison terms to punish them for exercising their right to freedom of religion or belief. Mehriniso Hamdamova and two other women were sentenced to up to seven years in jail in April 2010 after being arrested for holding unauthorised religious meetings. Sports journalist and religious commentator Hairulla Hamidov and 18 others were fined and jailed for up to six years in June 2010. Very many Muslims who read the works of the deceased Turkish Muslim theologian Said Nursi - whose books are banned in Uzbekistan - have been given long prison terms.

Gayrat Khusanov and Shuhrat Yunusov were given seven year jail terms in November 2012, for meeting with seven others to read the Koran and pray together. The other seven Muslims' appeals against three year suspended jail terms. In June 2013 Khayrullo Tursunov was sentenced to 12 years in jail for alleged "extremist" Islamic religious activity. He had been extradited back to his native Uzbekistan from Kazakhstan in March, against the express wishes of the UN Committee Against Torture. Relatives outside Uzbekistan complained to Forum 18 that the case had been "fabricated" to punish him for his religious activity.

Reportedly, thousands more Muslims have been imprisoned, usually on accusations of belonging to terrorist, extremist or banned organisations. The nature of the Uzbek "justice system", in which the planting of evidence and torture by the authorities is often credibly claimed, makes it unlikely that the authorities – or anyone else - knows how many of these prisoners are guilty of involvement in violence or are "guilty" of being devout Muslims who take their faith seriously.

There are violent groups which oppose the state, even though their violence is infrequent, but the authorities' own violence and injustice fuels support for such groups. When Forum 18 has asked Uzbeks who sympathise with such groups why they do so, they often indicate that their sympathy is mainly motivated by a dislike of the government's unjust and oppressive actions.

Freedom of religion or belief is denied to all prisoners. Prison and labour camp conditions are harsh, and even the communities regarded as the main "traditional" faiths – the state-controlled Mufiate and the Russian Orthodox Church – appear to have only limited

access to prisoners. Other faiths told Forum 18 they have almost no access. Prisoners are often punished for religious activity in jails or labour camps, religious believers and human rights defenders have told Forum 18, however officials insist to Forum 18 that prisoners' religious freedom is respected.

Relatives of imprisoned Muslim prisoners of conscience, jailed for exercising their religious freedom, told Forum 18 that prisoners "cannot openly pray, or read any Muslim literature - even the Koran". The Muftiate has denied this. Mukhammadakmal Shakirov of the Muftiate in May 2013 also claimed to Forum 18 that the Muftiate's clergy have recently visited Muslims in prison. But when asked which was the last prison they visited and when this was, Shakirov refused to say. Muslim prisoners have also been denied the right to openly pray and fast when trying to mark Ramadan. An official of an officially-recognised religious community, who wished to remain anonymous for fear of state reprisals, told Forum 18 that their clergy are not allowed by the authorities to visit or conduct religious ceremonies in prisons. Christian prisoners of conscience are also known to have suffered from bans on openly praying and reading religious literature, including the Bible.

In addition to Baptist prisoner of conscience Haydarov, imprisoned since March 2010, Jehovah's Witness Abdubannob Ahmedov has been imprisoned since 2008 for "illegal organisation of a religious community". He was given an extra 30 month sentence in June 2012 just a month before his first sentence was due to end. In addition to Shestakov, other recent prisoners of conscience from smaller religious communities, jailed on freedom of religion or belief grounds, include two Jehovah's Witnesses. Both - Sergei Ivanov and Olim Turaev - were freed in May 2012.

The future?

Uzbekistan systematically violates intertwined fundamental rights - such as freedom of religion or belief, of expression and of assembly, and to be free of torture - it has solemnly undertaken to respect and defend. Indeed, the interlocking nature of these human rights violations appear designed to impose total state control on all of society.

State officials repeatedly deny that human rights violations take place. Without fundamental changes in the attitudes and actions of officials - especially genuine independently verifiable implementation of the state's human rights obligations - Uzbekistan is likely to remain a place where fundamental human rights are violated with impunity.

Teaching Islam to children a crime, raids and large fines continue

By Felix Corley

Forum 18 (11.07.2013) - Uzbekistan is currently prosecuting a Muslim father and son who taught the Koran to school-age children in Tashkent Region, the court confirmed to Forum 18 News Service. Both men - Mirmuhiddin Mirbayzaiyev and his son Sirojiddin - face the possibility of up to three years in jail. Parents who brought their children to the Islamic religious lessons have been fined. Elsewhere, in Karshi, a member of a Baptist church, Svetlana Andreychenko, has like the Mirbayzaiyevs been prosecuted for exercising her right to freedom of religion or belief in her own home. She has been fined 50 times the minimum monthly salary. Her Church has been repeatedly raided during Sunday worship, with worshippers being taken to a police station for questioning. A state

"expert analysis" of books confiscated in Andreychenko's home stated that reading them "might give rise in the individual to feelings of interest towards this religion". Other raids on meetings, prosecutions, and fines for exercising freedom of religion or belief continue.

The criminal trial of a Muslim father and son who taught the Koran to school-age children has begun in Tashkent Region, the court confirmed to Forum 18 News Service. Both face the possibility of punishments that could be up to three years in jail. Parents who brought their children to the Islamic religious lessons have been fined, though officials refuse to give details of the punishments. A member of a Baptist church in Karshi [Qarshi] in southern Uzbekistan, Svetlana Andreychenko, has been fined 50 times the minimum monthly salary for teaching religion illegally. She contests the fine, insisting that her Church does not allow women to teach in church. Her Church has been repeatedly raided during meetings for Sunday worship.

The government's Religious Affairs Committee in the capital Tashkent – which conducts "expert analyses" of confiscated literature on behalf of police and the courts – said Christian books confiscated from Andreychenko's home did not contain calls for the violent overthrow of the government. But it said some books in Kazakh were banned, as they could be used for unspecified "missionary activity". Sharing any religious beliefs is illegal in Uzbekistan.

Police and other officials continue to seize religious literature from private homes and from Uzbek residents returning to the country (see forthcoming F18News article).

Teaching Islam to children a crime

Police in Chinoz District of Tashkent Region raided the private home of the Mirbayzaiyev family, where Mirmuhiddin Mirbayzaiyev and his son Sirojiddin had been teaching the Koran privately to school-age children. Police confiscated religious books – many of them in Arabic – from his home.

The duty officer at Chinoz District Police told Forum 18 on 9 July that he had "no information" about the raid and subsequent criminal and administrative cases. He referred all enquiries to police chief Alisher (he would not give his surname). However, his telephone went unanswered between 9 and 11 July.

A criminal case was launched against both Mirmuhiddin and Sirojiddin Mirbayzaiyev, apparently under Criminal Code Article 229-2 ("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 50 to 100 times the minimum monthly salary, and corrective labour or imprisonment for up to three years.

As Chinoz District Criminal Court is without a judge at the moment, a court official told Forum 18, all cases are being heard in Okkurgan District Criminal Court under its one Judge Kosymjon Mukhamedjanov.

Despite a report on the state-run national television channel "Uzbekistan" on 4 July that Mirmuhiddin and Sirojiddin Mirbayzaiyev have already been convicted, an official at Okkurgan District Criminal Court, who did not give his name, told Forum 18 on 9 July that the trial has not yet concluded. Forum 18 spoke to Judge Mukhamedjanov on 10 July but he refused to give any information about the trial.

Uzbek television also noted that parents whose children had studied with the Mirbayzaiyevs had been fined. The court refused to tell Forum 18 how many parents had been fined and when these fines had been handed down.

Mirmuhiddin Mirbayzaiyev told the television station that he repented, but said that his aim was to teach the Koran to children. "It is very upsetting to see parents, who, despite such great opportunities, ask half-educated people with no proper religious knowledge to teach their children on religious matters," the programme said. It insisted that such private religious teaching is unnecessary as Islamic education is provided through official channels.

Adults meeting together to study the Koran and pray are also targeted. For example, Gayrat Khusanov and Shuhrat Yunusov, two Muslim prisoners of conscience were given seven year jail terms in November 2012, for meeting with seven others to read the Koran and pray together. Appeals against the sentences were rejected on 20 December that year.

One meeting, one raid

In another case where a prosecution was brought for meeting without state permission in a home, a member of a Council of Churches Baptist congregation in Karshi in Kashkadarya Region, Svetlana Andreychenko, was fined 50 times the minimum monthly salary, fellow Baptists told Forum 18 on 15 June. The fine followed a raid by about 15 officers on the Church's Sunday morning meeting for worship in her home on 21 April. The raid was led by a National Security Service (NSS) secret police officer, whose name appeared to be Alisher, Baptists told Forum 18.

During the raid, police searched Andreychenko's home and even children's prams and pushchairs looking for religious literature. They seized 22 books, two religious notebooks, 12 exercise books, 66 postcards, two notebooks, nine discs, 18 posters and one audio-cassette "of religious content", according to court documents.

Police then loaded all those present – 78 adults and children – into buses and took them to the police station for questioning, where they were held for more than three hours. Officers swore at them and even threatened to shoot them, Baptists complained to Forum 18. Police began summoning the head teachers of schools where the children were studying.

The following day, 22 April, the mother of seven of the children present, Viktoriya Tashpulatova, was summoned to her children's school.

The authorities have in the past ordered religious leaders to stop children attending meetings for worship. The authorities have also via school teachers bullied and harassed school pupils who attend places of worship including mosques and Christian churches.

Another meeting, another raid

On 23 June, police and other unidentified men in plain clothes again raided the Karshi Baptist Church's meeting for Sunday worship. The intruders immediately began to film the premises and those present. Then each church member was summoned one by one to be photographed, to have their details recorded, and to have their possessions searched.

"They took New Testaments, hymnbooks, tracts and bookmarks with a Christian theme," Baptists complained to Forum 18. "They even checked children's bags and insisted on photographing them." Baptists complained that officers treated them "crudely", shouting at them and pushing them.

Police forced four church members – two men and two women – to remain behind and they searched the whole house, even though Andreychenko, the owner, was away. Officers then took four posters with Biblical quotations from the wall.

When they took air-conditioners from the walls, church members asked why they were seizing them. Major Alisher Makhmudov, head of the local police Criminal Investigation Department, responded "that they must fight against the believers and do everything they could to prevent them from gathering", church members told Forum 18. Temperatures in Karshi that day reached over 40 degrees Celsius (104 degrees Fahrenheit). He then threatened to confiscate Andreychenko's home.

Police take money and property

Officers took 95,200 Soms (275 Norwegian Kroner, 35 Euros or 45 US Dollars at the inflated official exchange rate) they found, as well as a DVD player with speakers and a microphone. They did not hand over a record of confiscation, Baptists complained to Forum 18. Police also called in officials from the gas and electricity companies to check for irregularities, but they found nothing.

Police intended to take two church members – Viktor Tashpulatov and Mikhail Balykbayev - to the police station, but when they saw all the church members still waiting outside the gates of the house they changed their mind. They took one church member Obid, who had refused to give his personal details. Tashpulatov and a dozen other church members went to the police station to find out what had happened to Obid. Tashpulatov was then detained, but both were freed early in the evening.

Officers asked Obid who led the Church, how much he was paid to attend, and why he went to the church as Russians were there. He wrote in a statement that "I went to the meetings and will continue to go to the meetings".

Officers at Karshi city police told Forum 18 on 9 July that Major Makhmudov was off sick. No other officer was prepared to discuss the repeated raids on the Baptist church.

Fined 50 times minimum monthly salary

Andreychenko told Karshi Criminal Court on 29 May that the Church had been meeting in her home which, she explained, was their right under Uzbekistan's Constitution. (The church, like all Council of Churches Baptist congregations, refuses to apply for state registration.) She denied that she had conducted any religious teaching, insisting that her Church does not allow women the right to teach in church. However, Judge Otabek Mustafayev rejected her arguments.

Judge Mustafayev found Andreychenko guilty of violating Article 240, Part 1 and 241 of the Code of Administrative Offences. He fined her 50 times the minimum monthly salary, or 3,979,500 Soms (11,500 Norwegian Kroner, 1,500 Euros or 1,900 US Dollars at the inflated official exchange rate).

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 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.

The verdict notes that she "provided premises to participants of an unapproved religious meeting where she, together with 37 minors and 39 adults belonging to the Baptist Church conducted a special meeting not related to the carrying out of worship".

Despite repeated calls, Forum 18 was unable to reach Judge Mustafayev between 9 and 11 July. He was either in hearings, his colleagues said, or not in the court.

"Feelings of interest towards this religion"

The Court drew on an "expert analysis" of the confiscated literature prepared by the government's Religious Affairs Committee. This admitted that the items contained no "public calls to unconstitutional change of the existing state structure, the seizure of power or the removal from power of the legally elected or appointed official representatives", nor did they "contain ideas of religious extremism, separatism and fundamentalism".

The "expert analysis" noted that reading these books "might give rise in the individual to feelings of interest towards this religion". It stressed that Kazakh-language calendars and a leaflet "The price of your soul" "could be used for missionary activity" and were therefore "banned for import or storage on the territory of the Republic".

So-called "expert analyses" are routinely used to justify confiscations and prosecutions relating to books and other literature.

No one at the Religious Affairs Committee in Tashkent was prepared to comment on why it had given an assessment that Andreychenko's Christian books called for the unconstitutional overthrow of the state. Officials at the Committee's "Expertise Department" – which conducts analyses of religious literature – told Forum 18 each time it rang on 9 and 10 July that Department head Sobitjon Sharipov had already left for the day, was at lunch or does not exist. They said no one else could answer Forum 18's questions.

Gazalkent raid and fines

On 9 June, nine officers from Bostanlyk District Police raided a Baptist church Sunday morning meeting as it was concluding in a private home in Gazalkent in Tashkent Region, Protestants complained to Forum 18. The church meets in the home of 83-year-old church member Lidiya Maksimenko. Officers did not confiscate any religious literature.

Nine church members – including Maksimenko - were detained and taken to the District police station. There they were threatened with beatings and a fabricated case against them. Three church members wrote statements under pressure, but the rest refused.

At a three-minute hearing which began at 9.30 pm on 11 June, Judge Ikrom Obidov of Bostanlyk District Criminal Court found the 65-year-old Nikolai Savorovsky guilty of violating the Administrative Code's articles 201, Part 2 and 202, Part 1. He fined him 80 times the minimum monthly salary, or 6,367,200 Soms (18,500 Norwegian Kroner, 2,300 Euros or 3,000 US Dollars), according to the verdict seen by Forum 18.

Article 201, Part 2 bans: "Violation of the procedure for holding religious meetings, street processions, or other religious ceremonies". This is punishable with a fine of between 60 and 80 times the minimum monthly salary, or administrative arrest of up to 15 days;

Article 202 bans: "Granting to the participants of gatherings, meetings, and street demonstrations, that are without state permission, premises or other property (means of communication, copying and other machines, equipment, transportation), or the creation of other conditions for conducting such activity". This offence is punishable by a fine of between 50 and 100 times the minimum monthly salary for ordinary citizens, and between 70 and 150 times the minimum monthly salary for officials.

In the same hearing, Judge Obidov found fellow church member Timur Zagvozdin guilty under the Administrative Code's Article 195 ("Resisting the orders of police officers"). He fined him four times the minimum monthly salary, or 318,360 Soms (920 Norwegian Kroner, 115 Euros or 150 US Dollars).

Falsified court decision?

Protestants close to the case complained to Forum 18 that Judge Obidov had falsified the court decision. It claimed:

that Zagvozdin had no citizenship, when he is a citizen of Uzbekistan;

that a named Russian/Uzbek translator had been present at the hearing, but no translator was present;

and that two police officers who had participated in the raid – Shalovat Abdurashidov of the Criminal Investigation Department and Timur Umarov – had been questioned in court, but they were not present in court.

Forum 18 tried to reach Judge Obidov at the court on 10 July. His assistant – who did not give her name – consulted with a man in the background. But when Forum 18 asked about the case told Forum 18 that the judge was not present and would not be in the court for the rest of the day.

Judge Obidov has in the past imposed harsh sentences against individuals exercising their right to freedom of religion or belief. For example, in November 2012, he fined Vadim Shim (a member of an unregistered Protestant church) 100 times the minimum monthly salary. In December 2012, Judge Obidov fined four Protestants in absentia 50 times the minimum monthly salary.

Forum 18 also tried to reach Abdurashidov and Umarov at Bostanlyk District Police. However, colleagues told Forum 18 on 11 July that neither was in the office.

Mubarek fines

Following a 24 March raid on a Council of Churches Baptist congregation meeting for worship in Mubarek, in Kashkadarya Region, four church members were fined and a criminal case against three others appears to have been launched, Baptists told Forum 18 on 1 June.

The NSS secret police officer who led the March raid told the Baptists that "all believers are backward-looking fanatics who drag society down".

On 16 May, Judge Ilhom Rakhmankulov of Mubarek District Criminal Court found all four had violated Article 240, Part 1 ("Carrying out of unauthorised religious activity, etc.") of the Code of Administrative Offences. Said Tursunov was fined five times the minimum monthly salary, or 397,950 Soms (1,150 Norwegian Kroner, 150 Euros or 190 US Dollars).

The three female church members - Zoya Kononenko (who is 80 years old), Yelena Petrova and Alla Dyu – were each fined one month's minimum monthly salary, or 79,590 Soms (230 Norwegian Kroner, 30 Euros or 40 US Dollars).

The Judge ruled that religious literature confiscated during the raid should be handed to the government's Religious Affairs Committee.

Criminal case launched

Judge Rakhmankulov also warned that a criminal case had been launched against three other church members, Vladimir Khanyukov, Nadezhda Shvindina and Yelena Tursunova.

In April 2012, Rakhmankulov imposed fines on Khanyukov, Tursunova and two other church members.

Appeal against criminal conviction fails

Sharofat Allamova, a 44-year-old Protestant from Urgench [Urganch] in the north-western Khorezm Region, has failed in her appeal to overturn her criminal conviction. On 29 May, a panel of three judges at Khorezm Regional Criminal Court chaired by Judge Kh. Mukhamedjanov dismissed her appeal in a ruling seen by Forum 18.

Allamova was sentenced to 18 months' corrective labour at Urgench City Criminal Court on 11 April under Article 244-3 of the Criminal Code for the "illegal production, storage, import or distribution of religious literature". 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.

Extradited and given 12 years' imprisonment

Forum 18 (25.06.2013) - In early June, less than three months after he had been extradited back from Kazakhstan, a court in south-eastern Uzbekistan sentenced 38-year-old Muslim Khayrullo Tursunov to 12 years in jail for alleged extremist religious activity, relatives from outside Uzbekistan told Forum 18 News Service on 24 June. They condemned the whole case as "fabricated" and designed to punish him for his religious activity. They said that some relatives attended the trial at Kashkadarya Regional Criminal Court, but the court has not yet provided them with a copy of the verdict.

Some relatives suspect that the authorities may have sought Tursunov in revenge for his wife's escape from Uzbekistan. Nodira Buriyeva fled Uzbekistan after being interrogated and threatened with rape before a relative was jailed for being a devout Muslim.

In a separate case, since 2010 Dilbar Turabayeva and other parents of 13 young Muslim men from Namangan in eastern Uzbekistan serving lengthy jail terms for their religious activity have appealed for a pardon for their sons or at least to have the criminal case and sentences re-examined. However, the authorities have rejected all their appeals, insisting that the punishments handed down in June 2010 were "objective" (see below).

Punishment follows forcible return

Tursunov and his family had escaped to neighbouring Kazakhstan in 2009, fearing that the Uzbek authorities could punish them for their peaceful practice of religion in his home town of Karshi [Qarshi]. His wife and children then left for a third country, which granted them refugee status, but Tursunov was arrested by the Kazakh authorities at Uzbekistan's request. He was extradited back to Uzbekistan in March 2013 against the express wishes of the United Nations Committee Against Torture.

Officials at Kashkadarya Regional Court – including the assistant to the chair of the court and the court secretary – refused to tell Forum 18 exactly when the verdict against Tursunov had been handed down, which judge had heard the case and why relatives have not been able to get a copy of the verdict. One court official insisted that "if the defendant or his relatives wish they have the right to appeal".

Tursunov "at the moment is not thinking of filing an appeal since he cannot afford to pay a lawyer, and he also does not believe it will change anything," a foreign-based relative told Forum 18. Tursunov is still believed to be held in a prison in Karshi.

Uzbekistan continues to limit the freedom of religion or belief of all prisoners, whether their religion or belief. For example relatives of imprisoned Muslim prisoners of conscience, jailed for exercising their religious freedom, told Forum 18 that prisoners "cannot openly pray, or read any Muslim literature – even the Koran".

Jailed for Koran reading and praying

The 13 young Muslim prisoners of conscience were handed their long prison sentences on 28 June 2010 by Judge Melikhon Tashboyeva of Namangan Regional Criminal Court, according to the verdict seen by Forum 18.

Such sentences for meeting together to study the Koran and pray continue to be imposed, for example in the cases of Gayrat Khusanov and Shuhrat Yunusov. These two Muslim prisoners of conscience were given seven year jail terms in November 2012, for meeting with seven others to read the Koran and pray together, and the appeals of all nine men were rejected on 20 December that year.

In 2010 Ravshanbek Umarbayev (born 1969) and Turabayeva's son Rakhmonzhon Turabayev (born 1984), the alleged leaders of the "illegal extremist religious organisation," were sentenced to 14 and 13 years in general regime prisons respectively.

The other 11 men – Ulugbek Otakuziyev, Rakhmatilla Makhmudov, Avazbek Turayev, Mukhamadin Sotivoldiyev, Rakhmatillo Khamdamov, Shakirzhon Khamdamov, Zukhriddin Kamolov, Nodyr Barnayev, Furkat Abdullayev, Abdugani Kamolov and Bobur Khatamov – each received a nine year general regime prison term. They were all born between 1980 and 1988. The two Khamdamovs are first cousins. The Kamolovs appear not to be related.

All 13 were convicted under Criminal Code Article 244-1, Part 3 (a) ("Production and dissemination of materials containing a threat to public security and public order") and Article 244-2, Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations"). Umarbayev, in addition to those charges, was also convicted under Criminal Code Article 159, Part 4 ("Violent attempts to change the Constitutional order").

Such accusations are frequently used against Muslims, whether or not they have advocated violence. Other accusations are used to imprison members of religious

minorities, such as the Baptist prisoner of conscience Tohar Haydarov. He is serving a ten-year sentence on alleged drugs charges his fellow church members insist were fabricated.

Their "only crime was to peacefully gather"

Turabayeva and other parents of the jailed men, who did not want their names published for fear of state reprisals, as well as Surat Ikramov, a Tashkent-based human rights defender, adamantly denied the charges to Forum 18. They insisted the 13 are "innocent" and their "only crime was to peacefully gather at times in private homes" to pray the namaz together and learn how to say Muslim prayers and read the Koran.

Most of the convicted men were her son's classmates, Turabayeva told Forum 18 on 14 June. They were learning Koran reading and Muslim prayers from Umarbayev, who is older than the rest and is a "simple and good man" involved in agriculture. "I used to work as the head of the local collective farm serving the government, and personally knew most of these young men, who can in no way be extremists," Turabayeva lamented. "They just became victims of corrupt local officials."

Turabayeva also lamented that she, her son's unemployed wife and two underage children were dependent on her only son, and are left without his support.

Human rights defender Ikramov told Forum 18 on 24 June that though he had not attended the trial, "I listened to Turabayeva's complaint and carefully studied the case materials. I can say that the authorities absolutely had no right to open a criminal case, and that the young men are no criminals." He insisted there was no evidence of any criminal or extremist activity. "The authorities are just afraid of any organised free-thinking people, whose activity they think may in future lead to criticism of those in power. They just want to get rid of them by arresting them."

Prisons where the 13 prisoners of conscience are held

Turabayev is being held in strict regime prison 64/51 in Koson near Karshi. Umarbayev is in strict regime prison 64/33 in Karshi. Rakhmatillo Khamdamov is in strict regime prison 64/49 in Shaikh-Ali near Karshi. Khatamov is in prison 64/61 in Karshi. Abdullayev and Barnayev are in prison 64/29 in Navoi [Navoiy]. Abdugani Kamolov is in strict regime prison 64/46 in Navoi. Shakirzhon Khamdamov and Zukhriddin Kamolov are in strict regime prison 64/47 in Kyzyltepe, Navoi Region. Makhmudov is in prison 64/65 in Zangiota, Tashkent Region. Otakuziyev is in prison in Almalyk [Olmaliq], Tashkent Region (believed to be strict regime prison 64/45). Sotivoldiyev is in Chirchik [Chirchiq], Tashkent Region (believed to be strict regime prison 64/6). Turayev is in prison in Tashkent Region.

Turabayeva said that though she is "very unhappy" that her son was "unjustly put in prison", she is "satisfied" that she can visit him in prison every three months and spend "a day or two" with him in the specifically designated visiting room and can bring him home-made food. She told Forum 18 that she last visited him on 14 April, and that his health is "normal".

Mother's appeals and amnesty requests rejected

Parents of eight of the 13 sentenced men – including Turabayeva - wrote on 24 March 2011 to President Islam Karimov asking for his help in getting the case re-examined. They wrote that their sons were involved in "peaceful prayers", that the pre-trial investigation and the trial were "fabricated", and that their sons became "victims of a group of greedy officials". They wrote that through two lawyers, Investigator Orif

Rakhimov "extorted" from the defendants' parents large sums of money promising he would help acquit the defendants.

Turabayeva also sent other appeals against her son's sentence between 2010 and 2012 and in 2012 requested amnesty for him to the Regional and Central authorities. However, all were rejected, in responses seen by Forum 18. For instance, in his rejection in March 2011, Prosecutor M. Tuychiyev of Namangan Region insisted that the Court decision was "lawful". In its January and June 2012 responses, the Regional Prosecutor's Office wrote that her son cannot be amnestied since the principle of amnesty "cannot be applied to his crime".

Similarly, Uzbekistan's Prosecutor General's Office and Supreme Court rejected her appeals and requests for amnesty.

The Supreme Court upheld the sentences given to the 13 men on 13 October 2010. In its responses to Turabayeva's further appeals, the Supreme Court claimed (in the words of its 16 December 2010 response) that it found the sentences "objective" and "correct".

Turabayeva in 2010 also appealed to Senator Svetlana Artikova of Uzbekistan's Parliament, who oversees complaints on legal issues, and Sayora Rashidova, Human Rights Ombudsperson. However, they simply referred her complaints to the Supreme Court.

Pressured to sign statements

Witnesses in the case, whose names are also mentioned in the Namangan Court verdict, sent hand-written complaints to the Supreme Court, seen by Forum 18. They complained that they had been pressured - during the administrative arrests of between ten and fifteen days they were given between March and May 2010 - to write statements against Umarbayev and Turabayev and the other detainees. When some refused to do so, they were pressured to sign blank statement papers.

Witness Dilshod Kuchkarov wrote in his complaint that Umarbayev did "not teach them extremism" and that he is a "peaceful" person. Witnesses Olim Dulanov, Akmal Sotivoldiyev and Muzaffar Abdurakhmanov wrote that "I was pressured by the Police to sign a blank statement with my name on it." Witnesses Batyr Khoshimov and Ismoil Egamov wrote that "we never spoke against the government" in their common prayers with Umarbayev. Witnesses Bakhrom Yunusbayev and Doniyor Khabibullayev wrote that their purpose was to "learn from Umarbayev how to read the Koran and perform namaz prayers".

Witnesses denied prosecution accusations

During the June 2010 trial, all the defendants denied the charges against them, according to the verdict. They stated that they did not discuss the creation of an Islamic state in Uzbekistan, that they are not against state policies, and that they signed the statements against them under pressure from the Police.

Umarbayev admitted that since 2008, he had taught others how to read the Koran and perform the namaz prayer, according to the verdict.

The witnesses called to testify in court stated that they "learned how to read the Koran" and "how to perform namaz prayers" in four groups led by the defendants, the verdict notes. They stated that they also "received teachings on sharia law that every Muslim must spread their faith by speaking to others", "ask their wives or women friends to wear the hijab [headscarf]", "help the poor", "respect their mother and father", and "abstain from narcotic drugs, alcohol and adultery".

Each of the witnesses testified to the Court that the defendants did "not speak against the State the government or its policies, or for forceful change of the government".

However, the Court claims that the defendants are proven guilty by the fact they admitted in the pre-trial investigation that they spoke of creating an Islamic state by way of jihad. The defendants were accused of creating four religious extremist groups that met on various days of the week between 2008 and 2010, discussed how to spread Islam among the ordinary population and high level politicians, including members of Parliament, and thus create an Islamic state in Uzbekistan.

The verdict concludes by declaring that "the testimonies of the witnesses during the hearing and other case materials, including CDs, which contain ideas of the 'Wahhabi' extremist Islamic movement, as well as statements signed by the witnesses, prove the guilt of the defendants".

Turabayeva and one other parent adamantly denied this to Forum 18. "The witnesses under Investigator Rakhimov's threat that they could also end up in jail, signed blank statements or wrote statements under his dictation," they said. The same complaints were included in the hand-written complaints of some of the witnesses to the Supreme Court. Turabayeva also told Forum 18 that her son did "not know where the CDs came from, what they really contained or how they ended up in the case files".

No comment

Judge Davlatmyrza Kamilov, Chair of Namangan Regional Criminal Court, refused to comment on the case. "Judge Tashboyeva issued the decision before I came to work here and no longer works at the Court," he told Forum 18 on 24 June. Judge Kamilov denied that Judge Tashboyeva had been arrested for corruption, saying only that "she was removed from her position, and retired from work." He also refused to comment on why Investigator Rakhimov was removed from his position. "I do not know anything about him."

Judge Kamilov played down Turabayeva's concern that the authorities are not willing to re-examine the case objectively or pardon her son. Told that Turabayeva wrote numerous complaints to Uzbekistan higher authorities, including the Supreme Court, which were all rejected, and asked why the authorities will not re-examine the case, especially taking into account that both Judge Tashboyeva and Investigator Rakhimov who led the case had been removed from office, Judge Kamilov responded: "Our Criminal Procedural Code works - let her file another complaint to the Supervisory Board of the Supreme Court."

Responses from Central authorities

Senator Artikova on 14 June told Forum 18 that "we referred her complaint to the Prosecutor General's office." Told of Turabayeva's several complaints to the Prosecutor General, which were rejected, the Senator stated: "The fact that Turabayeva wrote complaints does not mean that she will receive a positive response."

Told that both the Police Investigator Rakhimov and Judge Toshbayeva, who led the case were arrested, according to Turabayeva, on corruption charges, and that this may cast doubts on their objectivity, Senator Artikova told Forum 18: "Turabayeva must indicate these facts in her complaints."

Eldar Mansurov, Uzbekistan's Deputy Ombudsperson, also downplayed Turabayeva's concerns that the trial of her son had been unfair and that he had been given a lengthy prison term. Turabayeva "may tell you whatever she likes to tell you but we have the

State organs and Prosecutor General, who make sure that justice prevails," he claimed to Forum 18 on 14 June.

Prosecutor General's and Supreme Court officials (who did not give their names) on 14 June refused to comment on the case to Forum 18.

Raid, administrative arrests precede criminal case

The long prison sentences on the 13 followed a police raid on a private flat in Namangan Region's Uychi District on 19 March 2010, Turabayeva told Forum 18. Twelve District Police officers "some of whom were in masks and with sub-machine guns" broke in while the 13 young men - and 33 others, who later figured as witnesses in the case - were eating pilaf rice and talking. "The police illegally took all them to the police station allegedly for acts of hooliganism, and the same day the local court handed down administrative arrests of between 10 and 15 days to all 46 of them."

Turabayeva said that later 33 of them were released after they signed police reports and statements. Police Investigator Lieutenant Colonel Orif Rakhimov "fabricated a criminal case against them, and later asked for bribes to release our sons." She told Forum 18 that Investigator Rakhimov was later arrested by the National Security Service (NSS) secret police after parents' complaints.

Turabayeva also told Forum 18 Judge Tashboyeva was "arrested later also for corruption" but in "a totally different case."

The 13 prisoners were all formally arrested on criminal charges between 13 March and 5 May 2010, according to the verdict. The indictment was presented to the defendants only on 15 June 2010, roughly two and half months for most of them after they were initially charged with administrative violations.

One prisoner released

Meanwhile, Tashkent Muslim Abdulaziz Dadahonov was freed from prison in April 2012, friends of his told Forum 18. He was among a group of residents of the capital associated with the Irmoq (Spring) journal, arrested by the NSS secret police in 2008 on "suspicion of being sponsored by a Turkish radical religious movement Nursi". They were all given long prison sentences in February 2009.

After his appeal against his eight-year sentence was rejected, Dadahonov was transferred to serve his term in a labour camp in Navoi. However, in what turned out to be a prelude to his early release, he was transferred in late 2011 to a prison near Tashkent, from which he was eventually freed.

Forum 18 has not heard that any of the other Muslims sentenced with him - Bakhrom Ibrahimov, Davron Kabilov, Rovshanbek Vafojev and Botyrbek Eshkuziyev - have been freed and all four are presumed still to be imprisoned.

Continuing denials of prisoners' freedom of religion or belief

Forum 18 News Service (07.05.2013) - Uzbekistan is continuing to limit the freedom of religion or belief of prisoners, including prisoners of conscience, who also suffer among other things from poor nutrition and health care, Forum 18 News Service has learned. Relatives of imprisoned Muslim prisoners of conscience, jailed for exercising their

freedom of religion or belief, told Forum 18 that prisoners "cannot openly pray, or read any Muslim literature - even the Koran". Uzbekistan has imprisoned and continues to imprison many people for exercising their freedom of religion or belief, but has now released its last current Jehovah's Witness prisoner of conscience. And the International Committee of the Red Cross (ICRC) has stopped visiting prisoners in Uzbekistan, stating on 12 April that "we cannot address humanitarian issues and that renders any visits pointless".

All prisoners in Uzbekistan have long been denied their right to freedom of religion or belief – for example to pray visibly, to have religious literature, or to receive visits from clergy. Prison and labour camp conditions are harsh, and even the communities regarded as the main "traditional" faiths – the state-controlled Muslim Board and the Russian Orthodox Church – have had only limited access to prisoners, with those of other faiths having stated to Forum 18 that they have almost no access. Prisoners are often punished for religious activity in jails or labour camps, but officials have in the past insisted to Forum 18 that prisoners' religious freedom is respected.

Can prisoners pray or read religious literature?

Relatives of Muslims jailed for exercising their freedom of religion or belief, who wished to remain anonymous for fear of state reprisals, told Forum 18 in May that their imprisoned relatives "cannot openly pray, or read any Muslim literature - even the Koran".

Muslims have long complained that they are banned from praying openly in jail, as was former Protestant prisoner of conscience Pastor Dmitry Shestakov.

Mukhammadakmal Shakirov, Chief of the International Relations Department of the state-controlled Islamic religious leadership (the Spiritual Administration of Muslims, or Muslim Board), adamantly denied that these problems exist. He insisted to Forum 18 on 6 May that "in all Uzbekistan's prisons convicts are allowed to pray or read the Koran if they want to".

Literature bans, including of sacred texts, also affect prisoners of conscience of other faiths. Andrei Serin, who is from an unregistered Baptist Church in the capital Tashkent, told Forum 18 on 17 April that Baptist prisoner of conscience Tohar Haydarov "can pray but I don't know if he has a Bible now". He added that Haydarov "had a Bible which was taken away from him at the beginning of his sentence".

In March 2010 Haydarov was sentenced to 10 years in jail, after an apparently rigged trial, and attempts to overturn his sentence have failed.

Visits by clergy or prisoners of consciences' relatives allowed?

An official of an officially-recognised religious community, who wished to remain anonymous for fear of state reprisals, told Forum 18 on 6 May that their clergy are not allowed by the authorities to visit or conduct religious ceremonies in prisons. The official did not want to discuss the issue further.

In sharp contrast, Shakirov of the Muslim Board claimed to Forum 18 that the Board's clergy have recently visited Muslims in prison. "Prisons are visited by us on an official schedule," he claimed. Asked which was the last prison they visited and when this was, Shakirov refused to say. "Please send your questions in writing," he stated, before refusing to continue the conversation.

In the past officials from officially-recognised communities, including the Muslim Board, have stated that prison visits are infrequent at best.

Relatives of prisoners of conscience jailed for exercising their freedom of religion or belief – such as Khayrullo Tursunov, a Muslim in pre-trial detention in Karshi – are known to have been denied visiting rights.

But one relative of a Muslim imprisoned for exercising his freedom of religion or belief told Forum 18 on 16 April that they are "are allowed to visit three or four times a year, and even stay for a day within a specifically designated room in the prison".

Poor food, harsh conditions

A relative of a Muslim imprisoned for exercising his freedom of religion or belief told Forum 18 on 6 May that they "have to bring meat dishes and medicines because of poor health and nutrition". Their relative's health "is not too bad but could be better. Meat is served to prisoners very rarely, and convicts survive on barley and other primitive food for months."

The relative said that the prisoners are allowed to receive parcels containing medicines, food and clothes up to five kilograms (11 pounds) in that particular prison.

Prisoners of conscience in Uzbekistan's labour camps suffer unsanitary and dangerous living and working conditions, which cause a high level of sickness among prisoners. Guards beat them with truncheons and members of criminal gangs have a ruthless hold over other prisoners.

International human rights obligations

International law defends the right of prisoners to freedom of religion or belief, which Uzbekistan has the international obligation to uphold. The International Covenant on Civil and Political Rights (ICCPR), ratified by Uzbekistan in 1996, states: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person" (Article 10, Paragraph 1). This specifically includes those held in prisons, detention camps or correctional institutions (General Comment 21 on ICCPR Article 10).

Among other relevant United Nations standards is the 1955 Standard Minimum Rules for the Treatment of Prisoners, which state: "Access to a qualified representative of any religion shall not be refused to any prisoner" (Rule 41, Part 3). The Standard Minimum Rules also stipulate that, "So far as practicable, every prisoner shall be allowed to satisfy the needs of his/her religious life by attending the services provided in the institution and having in his/her possession the books of religious observance and instruction of his/her denomination" (Rule 42).

"In accordance with international standards"?

Officials at the Interior Ministry's Chief Directorate for the Enforcement of Punishments - which has responsibility for prisons - between 3 and 6 May refused to discuss with Forum 18 freedom of religion or belief in prisons.

Burkhan (who did not give his last name) stated he is Assistant to Abdukarim Shodiyev, Deputy Interior Minister and Head of the Chief Directorate for the Enforcement of Punishments, on 3 May. He claimed to Forum 18 that neither Shodiyev nor anyone else from the Chief Directorate is available to talk to Forum 18. Asked whether Forum 18

could talk to the Press Service, Burkhan referred Forum 18 to the switchboard. Employees at the switchboard between 3 and 6 May claimed when Forum 18 introduced itself that they could not hear Forum 18 well – even though the line was very clear.

Uzbekistan's official delegation to its Universal Periodic Review at the United Nations Human Rights Council in Geneva on 24 April defended the government's record on prisoners. Delegation member Shodiyev, Deputy Interior Minister and Head of the Chief Directorate, insisted that detention conditions "are in accordance with international standards".

Shodiyev claimed that all cases of torture of prisoners and complaints by prisoners are followed up by the General Prosecutor's Office and that action follows. He gave no examples of such action. Torture in Uzbekistan continues to be "routine", as the UN Committee Against Torture put it, with cases frequently being reported by victims to Forum 18.

Will Protestant prisoner of conscience be transferred to an open prison?

Baptists in Uzbekistan are hoping that prisoner of conscience Haydarov will be moved to an open prison. Haydarov is at present in Shaykh-Ali Prison in Kashkadarya Region, but after one third of his prison term is complete (he was jailed for 10 years in March 2010), the law allows him to be moved to an open prison unless he is given an administrative penalty while serving his sentence.

"In an open prison, the prisoners move freely in the town between the prison and the work place," fellow-Baptist Serin explained. "We are hoping that he will be moved there in mid-May." If transferred to an open prison, Haydarov will also have a chance to have visitors "almost daily, and have a chance to receive home-made food."

Serin told Forum 18 that Baptists had collected positive written testimonies from Haydarov's family, friends, neighbours and church members to petition the authorities to transfer Haydarov to an open prison. "It remains to be seen whether or not the authorities will do so," he said.

Surprise release of jailed Jehovah's Witness

Abdubannob Ahmedov was released from prison on 2 March, 22 months before his latest sentence was due to finish, his fellow-Jehovah's Witnesses told Forum 18. Ahmedov was in prison for 4 years and 7 months from July 2008.

Ahmedov was originally sentenced to four years' imprisonment in 2008 for the illegal exercise of freedom of religion or belief. But shortly before the end of his first jail sentence in July 2012 was given a further 30 months in jail for allegedly violating prison regulations.

"His sentence was reduced to six months, the officials who accompanied him to his home town in Fergana [Fargona] Region informed local police," Jehovah's Witnesses told Forum 18. Ahmedov was not given a written statement why his sentence was reduced, but was verbally told by local police that "it was the decision of the big brass".

Ahmedov is at his home in Margilan with his family. "They are happy that he is finally home after four and half years of prison," Jehovah's Witnesses told Forum 18.

No other Jehovah's Witnesses are currently in jail in Uzbekistan.

ICRC stops visiting prisons

The International Committee of the Red Cross (ICRC) has stopped visiting prisoners in Uzbekistan, due to obstacles caused by the government, the ICRC announced on 12 April. It had suspended its visits in October 2012, but had been negotiating with the government to try to resume them.

"In Uzbekistan we are unable to follow our standard working procedures when we visit detainees to assess the conditions in which they are being held and the treatment they are receiving," said Yves Daccord, ICRC's Director-General. "As a result, we cannot address humanitarian issues and that renders any visits pointless." Daccord stressed that the decision to terminate visits to places of detention is a rare occurrence, and is never taken lightly.

"Visiting all detainees of ICRC concern and speaking to them in private - without witnesses - are essential preconditions for the effective protection of detainees," Daccord stated. "Visits must have a meaningful impact on detention conditions, and dialogue with the detaining authorities must be constructive. And that's not the case in Uzbekistan."

Devout Muslim "may receive up to 15 years" in jail

Forum 18 (01.05.2013) - Uzbekistan is prosecuting Khayrullo Tursunov, a 38-year old Muslim prisoner of conscience, for exercising his freedom of religion or belief, Forum 18 News Service has learned. He was extradited from Kazakhstan - in violation of that country's international human rights obligations - on 13 March and immediately arrested. Uzbekistan's National Security Service (NSS) secret police, the Interior Ministry, the ordinary police, and the Prosecutor General's Office all took part in the arrest. The trial was due to begin on 15 April, but has not yet happened.

Tursunov "may receive up to 15 years" in prison, Colonel Isameddin Irisov, Head of Kashkadarya regional police Struggle with Extremism and Terrorism Department, told Forum 18 on 25 April. Colonel Irisov signed a letter to the Kazakh authorities for Tursunov's extradition, but said that he does not know when Tursunov will be brought to trial, or how long the investigation will be.

Why?

"Tursunov is a devout follower of Islam, and in Uzbekistan he peacefully practiced his faith outside state-controlled Islam", exiled human rights defender Mutabar Tadjibayeva of the Fiery Hearts Club told Forum 18 on 1 May. One of Tursunov's relatives outside Uzbekistan told Forum 18 on 1 May that "he knew some of the 29 men extradited earlier from Kazakhstan to Uzbekistan, with whom he privately learned Koran and prayed together". The relative commented that "these were men who had fled Uzbekistan because of religious persecution, and they wanted to follow their faith peacefully outside Uzbekistan". In June 2012, the UN Committee Against Torture found that Kazakhstan had violated the human rights of the men by extraditing them to Uzbekistan in 2011.

Meeting together privately to study the Koran and learn to pray incurs official hostility. In November 2012, nine Muslim men were punished for meeting to discuss their faith and to learn how to pray. Two of the men - Gayrat Khusanov and Shuhrat Yunusov - were given seven year prison terms on 22 November, and the other seven defendants received three year suspended prison terms. Their appeals were rejected in December.

Hunted in revenge for his wife's escape?

Human rights defender Tadjibayeva told Forum 18 that Tursunov "fled Uzbekistan because he feared the religious persecution going on in the country". She pointed out

that his wife Nodira Buriyeva fled Uzbekistan, after being interrogated and threatened with rape before a relative was jailed for being a devout Muslim.

Some relatives suspect that the authorities may have sought Tursunov in revenge for his wife's escape. One relative outside Uzbekistan, who wished to remain unnamed for fear of Uzbek state reprisals, told Forum 18 on 16 April that Uzbekistan wanted "to get him at any cost to punish him".

Buriyeva escaped from Uzbekistan after she along with over seven other women were interrogated by police who threatened them with rape, after police arrested her relative Mehriniso Hamdamova for holding unauthorised religious meetings in her home. Several of the arrested women also escaped, and the authorities arrested and tortured a man they suspected of being involved in the escape. Hamdamova was, along with other Muslim women, sentenced to seven years in a labour camp on 12 April 2010 by Karshi [Qarshi] Criminal Court in the central Kashkadarya Region.

Human rights defender Tadjibayeva told Forum 18 that Buriyeva with her three children lives in Europe, after being given refugee status by the United Nations High Commissioner for Refugees (UNHCR).

Detained, no visits from relatives allowed

Tursunov was transferred to Investigation Prison No. 5 in the village of Shaikh-ali near the Kashkadarya regional capital Karshi. The prison address is:

UYa 64/SI-5

pos. Shaikh-ali

g. Karshi

Kashkadarya Region

Uzbekistan

His relatives outside Uzbekistan told Forum 18 on 22 April that relatives in Uzbekistan have not been able to visit him in the prison. "His investigator [whose name is not known] refused" to grant them permission. "We do not know how he is treated in the prison, whether or not he is beaten, or how his health is."

Torture in Uzbekistan continues to be "routine", as the UN Committee Against Torture put it, with cases frequently being reported by victims to Forum 18. For good reason, victims (including children) of the country's widespread use of torture normally choose not to complain or make their suffering public for fear of state reprisals.

Uzbekistan's other prisoners of conscience who have been jailed for exercising their freedom of religion or belief include many other Muslims, Jehovah's Witnesses, and one Baptist. Many of the Muslim prisoners of conscience are known to have been banned from reading the Koran or openly praying (see forthcoming F18News article).

Prisoners in Uzbekistan have long been denied their right to freedom of religion or belief – for example to pray visibly, to have religious literature, or to receive visits from clergy, Forum 18 has found. These denials of religious freedom affect not only prisoners of conscience of all faiths, jailed or imprisoned for exercising their freedom of religion or belief, but also prisoners jailed for other reasons.

Escaped to wife and children, but then extradited back

Asked why Tursunov is being prosecuted, an officer at Kashkadarya regional NSS secret police on 25 April took down the question. He then said that Investigator S. Akhmadov

(first name not given) is "busy at the moment", and asked Forum 18 to call back later. Called back later, the officer claimed to Forum 18 that Akhmadov "is still busy, and I don't know when he will be free to comment". He refused to put Forum 18 through to other NSS officials, and did not wish to talk further.

Human rights defender Tadjibayeva told Forum 18 that "seeing that the authorities would not leave him alone", Tursunov in September 2009 fled Uzbekistan for Kazakhstan, where he joined his wife and children. Tursunov asked the UNHCR for refugee status in Kazakhstan. "However", Tadjibayeva continued, "Kazakhstan ignored the official request of the UNHCR not to extradite him, and in violation of its international human rights obligations delivered him over to Uzbekistan".

After Tursunov fled Uzbekistan, Investigator Akhmadov on 18 January 2012 opened a criminal charge, which Forum 18 has seen, against Tursunov under the Criminal Code's Article 244-2 Part 1 ("Creation, leadership or participation in religious extremist, separatist, fundamentalist or other banned organisations"). This charge carries a maximum sentence of 15 years in jail. The charge was confirmed on 13 April 2012 by R. Abdullayev, Chief of the Search Department of Kashkadarya regional Police, and referred to Kazakhstan for Tursunov's arrest and extradition.

Tursunov was arrested in Kazakhstan on 7 April 2012 and detained in detention centres in Aktobe and Almaty for 11 months until 13 March 2013, when he was extradited to Uzbekistan (see forthcoming F18News article).

Kazakhstan's extradition of Tursunov violates the United Nations 1951 Refugee Convention, as did its similar extradition of 29 other Muslim men to Uzbekistan. The UN Committee Against Torture is continuing to pursue this case (see below).

On 24 February 2012, Investigator Oybek Narzullayev of Mirishkor Police brought further criminal charges against Tursunov, which Forum 18 has seen. He was accused of breaking five more Criminal Code articles:

- 216-2 (b) ("Attracting believers of one faith to another (proselytism) and other missionary activity"). This charge carries a maximum sentence of three years in jail;
- 155 Part 1 ("Terrorism"). This charge carries a maximum sentence of 10 years in jail;
- 156 Part 3 (e) ("Incitement of Ethnic, Racial or Religious Hatred - with previous planning or by a group of individuals"). This charge carries a maximum sentence of 10 years in jail;
- 159 Part 3 (b) ("Violent attempts to change the constitutional order – by an organised group or in its interests"). This charge carries a maximum sentence of 10 years in jail;
- and 223 Part 2 ("Illegal exit from or entry into Uzbekistan"). This charge carries a maximum sentence of 10 years in jail.

Inconsistencies in charges

Tursunov in his 3 January 2013 appeal to Kazakhstan's Aktobe Regional Court, which Forum 18 has seen, against Aktobe Court No. 2's decision to extradite him, states that Aktobe Court was "not objective or fair." He notes that the criminal charges brought against him were "full of inconsistencies" which the Court did not investigate. He also stated that the Court did not investigate whether Uzbekistan "fabricated" charges, so as to "get me by any possible means so that later by torture they could impute crimes to me".

Tursunov points out that Investigator Akhmadov's original 18 January 2012 charge claimed that he had established and led a criminal organisation in Almaty in Kazakhstan

between December 2009 and January 2012, and charged him under Uzbekistan's Criminal Code Article 244-2. Yet Tursunov fled Uzbekistan in September 2009. This is acknowledged in the second 24 February 2012 charges brought by Investigator Nurzullayev, which claim that the alleged crimes were committed in Karshi in Uzbekistan.

Tursunov also points out that there has been a prolonged delay in bringing the charges after the alleged offences, of over two and half years.

"To make their extradition demands sound more serious"

Human rights defender Tadjibayeva, and Tursunov's relatives, told Forum 18 that Tursunov is a "peaceful religious man and not a criminal, nor has he been part of any extremist activities". Tadjibayeva stated that the original charge was increased "to make their extradition demands sound more serious".

Police Colonel Irisov, who on 28 April 2012 signed a letter asking Kazakhstan's Interior Ministry to arrest Tursunov, told Forum 18 that Tursunov is "guilty of all that" when asked why extra criminal charges were added. Asked what concretely Tursunov is charged with, Irisov claimed that Tursunov established various unspecified illegal religious organisations, and participated in unspecified extremist actions. Asked again what Tursunov concretely did, Irisov said that "he does not like the government and spoke against the Constitutional order". When Forum 18 noted that in democratic countries peaceful people are not jailed for speaking against the government, Irisov stated that Tursunov "established illegal religious organisations and that evidence is enough".

Tursunov has previously been jailed in October 2004 for exercising his freedom of religion or belief, but was amnestied in February 2005. He was also jailed for 10 days in August 2009 (see below).

Prosecutor General's Office officials on 25 April refused to put Forum 18 through to Khakimbay Khalimov, Deputy Prosecutor General, who on 27 April 2012 signed a letter which Forum 18 has seen to Iogan Merkel, Kazakhstan's Deputy Prosecutor General, demanding Tursunov's extradition. One official (who would not give his name) referred Forum 18 to Uygun Nigmatjanov of the General Prosecutor's Office. The official who answered the phone, who would not give his name, claimed that Nigmatjanov is "busy". When asked about the case he said that he cannot comment, and refused to put Forum 18 through to Khalimov or any other officials. "Please send your questions in writing", he said and then put the phone down.

Tursunov's previous two imprisonments

Tursunov was on 20 October 2004 sentenced to 12 years in prison for alleged "terrorism" by Kashkadarya Regional Criminal Court, other Muslims who attended the same mosque and its imam also being given long jail terms. But it was clear at the time that the only reason Tursunov and his fellow Muslims were sentenced was because they as devout Muslims exercised their right to freedom of religion or belief. The authorities showed no interest in alleged "terrorism" during the investigation of Imam Rustam Klichev and those who attended his central Navo mosque in Karshi, being solely interested in how they practiced Islam.

On 2 February 2005 Tursunov was amnestied and released from prison after testimony in his favour from Abdulaziz Mansur, Deputy Grand Mufti of Uzbekistan, Tursunov's relatives told Forum 18. Human rights defender Tadjibayeva told Forum 18 that after Tursunov's release, he was "followed by police everywhere, and was made to report on the details of his daily activities and which mosques he visited for prayers".

In one instance, police Colonel Pardayev "forced Tursunov to sweep floors of the police station, but he refused to do so as he is a free man and has no such obligations".

Tursunov then complained to the regional NSS secret police and demanded that Colonel Pardayev be punished, Tadjibayeva said. "He was several times summoned after this to the Regional Police and told that he must withdraw his complaint, but he refused to do so". This, she explained, "is also one of the reasons why the authorities do not like him".

Human rights defender Tadjibayeva told Forum 18 that police kept following and harassing Tursunov until August 2009. On 22 August he was "molested by two unknown women in front of police on the street". After this he was taken to a police station and the next day given 10 days' administrative arrest by Karshi City Court for "allegedly infringing upon the women's honour".

During the arrest Tursunov was "beaten and questioned" in an attempt to extort information on one other person accused of alleged "religious extremism". On 2 September 2009 he was released, after which he fled to Kazakhstan.

Kazakhstan's violation of its international human rights obligations

Kazakhstan acceded to the United Nations 1951 Refugee Convention in January 1999. Article 33, Part 1 of the Convention declares: "No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

On 9 June 2011, Kazakhstan sent back 29 men wanted by the Uzbek authorities on anti-state and religion-related charges, despite protests by human rights defenders. Relatives of the men say they were peaceful Muslims the authorities were seeking to punish for their religious activity.

Representatives of the men complained to the UN Committee Against Torture, arguing that they were at risk of torture if they were returned to Uzbekistan. On 1 June 2012, the Committee ruled that Kazakhstan had violated its commitments under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Committee found that "the pattern of gross, flagrant or mass violations of human rights and the significant risk of torture or other cruel, inhuman or degrading treatment in Uzbekistan, in particular for individuals practising their faith outside of the official framework, has been sufficiently established". It pointed out that at least some of the complainants had already been subjected to "detention and torture" before they fled to Kazakhstan.

The Committee noted that the men were detained as soon as they arrived back in Uzbekistan and that some at least had received prison terms of more than ten years.

Kazakhstan had told the Committee that it had received "written guarantees from the General Prosecutor's Office of Uzbekistan that the complainants' rights and freedoms would be respected after the extradition and that they would not be subjected to torture or ill-treatment". However, the Committee noted that Kazakhstan's accepting such assurances without close monitoring of conditions in Uzbek detention was not enough. The Committee noted that the men were detained as soon as they arrived back in Uzbekistan and that some at least had received prison terms of more than 10 years. The Committee gave the Kazakh government 90 days to respond.

On 8 November, Kazakhstan responded to the Committee – with information prepared by Kazakhstan's General Prosecutor's Office – claiming that between 3 and 14 August, Kazakh diplomats had interviewed 18 of those extradited back to Uzbekistan, all of them now in prison.

"None of the visited convicts indicated to have been subjected to torture, unlawful measures of physical and moral pressure or other impermissible methods of

investigation," the UN summarised the Kazakh response as claiming. "All of them were assigned ex officio lawyers and could retain lawyers privately. None of them complained about the conditions of detention, the food or the medical care provided." It added that "upon request by the Kazakh diplomatic service, medical examinations of the 18 complainants were carried out and no signs of beatings or torture were disclosed". The Kazakh government submitted what it said were statements to the UN Committee attesting to this signed by the prisoners.

The Kazakh government, citing officials from Uzbekistan, told the UN that a further seven of those extradited are still under investigation, adding that Kazakh officials' "meetings with them will be arranged at a later stage". It said the other four were not in detention – one had been sentenced and amnestied, while the other three were given non-custodial sentences.

"The Committee Against Torture will consider at its next session in May 2013 whether it is satisfied with the government response or not," the Committee told Forum 18 from Geneva on 5 December 2012.

Raids, criminal charges and Christmas Bible destruction

Forum 18 News Service (01.02.2013) - After two raids on her home in Urgench [Urganch] in Uzbekistan's north-western Khorezm Region in January, Protestant Christian Sharofat Allamova is facing criminal prosecution for "illegally" storing religious literature, the police officer who led the raids told Forum 18 News Service. The criminal charges – for which she was given a six-month suspended jail term in 2007 - carry a fine of up to 200 times the minimum monthly wage, or a prison term of up to three years. Religious communities and individuals elsewhere in Uzbekistan continue to face punishment for storing or carrying their religious books and peacefully meeting for worship.

Protestants in Tashkent have told Forum 18 that they are upset and outraged over a judge's order to destroy the Bible. They are particularly upset as the decision was handed down on 24 December 2012, as church members were beginning their Christmas celebrations. The judge – who fined four local Protestants in the same case – has already punished many religious believers locally for exercising their right to freedom of religion or belief.

Two raids, criminal case opened

Twice in January 2013, Urgench Police have raided the home of local Protestant Sharofat Allamova. Police confiscated Christian literature from her home, and opened a case against her under Criminal Code Article 244-3, Protestants who wished to remain unnamed for fear of state reprisals told Forum 18 on 25 January.

Criminal Code Article 244-3 bans "illegal production, storage, import or distribution of religious literature". It carries – if there has been a previous administrative conviction - a maximum sentence of a fine of between 100 and 200 times the minimum monthly wage, or up to three years' imprisonment. All religious literature of any kind in Uzbekistan is under tight state censorship.

The Protestants said that police opened a criminal case as Allamova was convicted of the same "offence" under the Code of Administrative Offences in under a year.

Earlier threats, jailing, fine, confiscations

Allamova has faced repeated harassment from the authorities. In June 2004 she was interrogated and threatened by the National Security Service (NSS) secret police, and she was detained for four days in June 2007 after Christian books and films were found in her bag on a late-night bus. Her home was raided, Christian literature seized, and she was given a six-month suspended jail sentence.

In May 2012 Allamova was fined 10 times the then minimum monthly wage under the Administrative Code, for possessing religious literature. The judge ordered the permanent confiscation of the three Christian books and three DVDs the police had confiscated from her home. Allamova appealed against the verdict, noting that among 272 violations of Uzbek legal procedure she had not – as the verdict stated – pleaded guilty, and that she had been denied legal representation. But an Appeal Court upheld both the fine and confiscations.

First raid

The first raid on Allamova's home took place on 4 January 2013, and was led by Shukhrat Masharipov, Chief of the police Criminal Investigation Department (CID). The same day at 11.30 am she was invited to the local mahalla committee, where she was detained by police. Mahalla committees are the lowest level of administration, and restriction of freedom of religion or belief is among their many duties.

Police questioned Allamova about her exercise of freedom of religion and belief for about an hour, after which they took her to her home. The Police then conducted an unauthorised – and so illegal – search of her home. They confiscated three Christian books, two DVD discs of a Christian film and a sermon, and a video-tape of a film called "Life in the Church".

At 2.00 pm police then brought Allamova to Urgench Police Station, where she was questioned by Officer Zhavlon (who did not give his last name). He "put psychological pressure" on her, and told that unless she wrote a statement she will be arrested and criminal charges brought against her. She was eventually released at 10.30 pm, after being detained for 11 hours.

Second raid

12 days later on 16 January at 5.00 pm, seven police officers, again led by CID Chief Masharipov but this time also with police Investigator Lieutenant M. Shamuradov, "broke in" to Allamova's home, Protestants complained to Forum 18. This time the police showed Allamova a search warrant, authorised by Urgench Prosecutor Magsudbek Ollaberganov. The police also brought the Chair of the mahalla committee and his Secretary. However, the police did not find any religious materials in Allamova's home.

"Banned books"?

CID Chief Masharipov told Forum 18 on 29 January that police "had sent the religious books for 'expert analysis', and handed the case under Criminal Code Article 244-3 to the Court." He refused to give more details to Forum 18, but claimed the police found "banned books" in Allamova's home. Asked what Christian books are banned in Uzbekistan, he could not say.

Contradicting his previous claim, Masharipov then told Forum 18 that "if the 'religious expert analysis' finds the books are not banned, we will return them to her." Such alleged "expert analyses" are routinely used as an excuse to confiscate any book the authorities decide to confiscate.

Asked why the authorities keep pressuring and punishing Allamova, and whether the authorities want her to stop practicing her Christian faith or reading Christian books, Masharipov listened to the questions and paused for a moment. He then put the phone down. Subsequent calls to him went unanswered.

Officials of Urgench Prosecutor's Office refused to put Forum 18 through to Prosecutor Ollaberganov on 30 and 31 January. They also refused to say why they approved searches of Allamova's home. On 30 January one official (who did not give his name) asked Forum 18 to call back the next day. Called on 31 January, another official (who also did not give his name) asked Forum 18 to wait on the line for several minutes and then put the phone down. Subsequent calls went unanswered.

Large fines

Judge Ikrom Obidov of Tashkent Region's Bostanlyk District Criminal Court on 24 December 2012 fined four Protestants for leading a meeting for worship of about 80 fellow-believers. The four church members - Gennady Chen, Vladimir Zhikhar, Aleksandr Lokshev and Gennady Timoyev – were each fined 50 times the minimum monthly wage or 3,979,500 Soms (11,000 Norwegian Kroner, 1,500 Euros, or 2,000 US Dollars at the inflated official exchange rate).

The judge fined the four under Administrative Code Article 240 ("Violation of the Religion Law") Part 1. This 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.

The fines followed a 1 December 2012 police raid on a group of about 80 Protestants on holiday together. Charges under six different articles of the Code of Administrative Offences were brought against four of the group, who were meeting together discussing their faith and singing Christian songs. Police confiscated three Bibles and 100 Christian songbooks, insulted the group, and took their fingerprints of all present. People must worship "only in registered places specifically set up for religious purposes", police insisted to Forum 18.

Judge Obidov claims in his decision, a copy of which Forum 18 has seen, that police had established that the four Protestants "conducted a religious meeting for sixty citizens". He also claimed, without specifying details, that the confiscated literature in Uzbek could be used for missionary activity.

Article 5 of the Religion Law states that: "Actions aimed at attracting believers of one confession to another (proselytism) are forbidden, as is other missionary activity." Administrative Code Article 240 ("Violation of the Religion Law") Part 2 bans "attracting believers of one confession to another (proselytism) and other missionary activity". Punishments are fines of between 50 and 100 times the minimum monthly salary, or administrative arrest for up to 15 days.

Asked about the case a Bostanlyk Court official (who did not her name) told Forum 18 on 29 January that Judge Obidov was "not available". Asked why the four Protestants were fined, she asked "What do you want?" and then put the phone down.

Christmas Bible destruction order

Judge Obidov with the same decision also ordered the destruction of the two confiscated two Bibles, three notebooks with notes on religious matters in them, and another Christian book. "At Christmas, 24 December 2012, Judge Obidov of Bostanlyk District Court signed the verdict to destroy the Bibles confiscated during the police raid on 1 December, despite the fact that the Bible is officially recognised by Uzbekistan's Religious Affairs Committee," one local Protestant lamented to Forum 18.

(Protestants in Uzbekistan normally begin Christmas celebrations on 24 December.)

Courts routinely order religious literature confiscated during police or National Security Service (NSS) secret police raids to be destroyed, including Muslim, Christian and Jehovah's Witness literature. Courts often order such destructions on the basis of "expert analyses" by the government's Religious Affairs Committee which deem such books or magazines to be "harmful", "extremist", or "illegal".

Appeal

The four Protestants have appealed against Judge Obidov's decision to Tashkent Regional Court. The appeals are due to be heard on the morning of 4 February. "They have not paid the fines yet, and still hope that the first verdict will be revoked," Protestants told Forum 18.

Different appeal against same judge's fine and literature destruction rejected

Meanwhile, on 10 December 2012 Judge Bakhtiyor Miralimov of Tashkent Regional Criminal Court rejected the appeal of Vadim Shim, a member of an unregistered Protestant Church in Bostanlyk District. Shim had been seeking to overturn the large fine given to him by the lower court a month earlier.

On 9 November 2012, Judge Obidov – who later ordered the Christmas Bible destruction – had fined Shim 100 times the then minimum monthly wage for allegedly illegally distributing religious literature, and books including Bibles and New Testaments were been ordered to be destroyed. Legal procedures were violated, the official who produced "expert analyses" allegedly managing to within one working day read 1,300 books, 2,100 brochures, 450 leaflets, 50 magazines, watch 200 videos, and listen to 350 audio cassettes. "This beats the Guinness Book of Records", a local Protestant observed to Forum 18.

Fabricated case

Protestants familiar with the case complained to Forum 18 that in upholding the fine, Judge Miralimov ignored proof presented to the Court that the case had been fabricated. Among many violations, the Protestants pointed out that the "witnesses in the case are fictitious, while one of them is even on the police wanted list". They also complained that Judge Obidov invited to the hearing "an uneducated person" to act as translator into Russian.

Elkhom Tagayev of the Court Chancellery said that Judge Miralimov "will not make any comments" on the decision. "If Shim is not satisfied, he can still challenge our decision," he insisted to Forum 18 on 31 January. Asked why religious believers cannot keep their religious books or films, and why this is so strictly controlled and punished, Tagayev refused to comment.
