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Jailings "to intimidate all who speak about freedoms"

By Mushfig Bayram

Forum 18 (20.09.2018) - <https://bit.ly/2Ocg7M5> - After police and secret police home raids, at least eight bloggers were jailed "to intimidate all others who want to speak about freedoms", a relative of one told Forum 18. Tashkent blogger Adkham Olimov, jailed for 15 days and fined at a midnight court hearing, had to pay for his own jailing.

In an attempt to clamp down on public discussions of religious freedoms, police and secret police officers between late August and early September raided without warrants the homes of at least ten bloggers who write on such themes in at least five regions of Uzbekistan. Courts then handed many of them fines and jail terms of up to two weeks, Forum 18 notes. The authorities "wanted to showcase the jailings to intimidate all others who want to speak about freedoms", a relative of one of the bloggers told Forum 18.

Names of only eight of the jailed bloggers are known to Forum 18, but human rights defenders suspect that the number could have been greater. As well as those jailed, at least three other bloggers are known to have been raided, detained or questioned (see below).

"We hear that up to thirty bloggers may have been detained in various regions," human rights defender Surat Ikramov told Forum 18 from the capital Tashkent on 18 September. "But their relatives are afraid to talk to human rights defenders or the media."

One of the Tashkent-based bloggers, Adkham Olimov, was jailed for 15 days and fined at a court hearing shortly after midnight. He also had to pay for his detention. He twice unsuccessfully appealed against his jailing (see below).

According to Ikramov and independent local news agencies, the eight bloggers were all freed from custody between 6 and 11 September. "The authorities warned them not to speak publicly about their arrests on Facebook and other social media," Ikramov told Forum 18. "It was good that independent media and rights defenders made noise about the arrests, otherwise the authorities could have opened criminal cases against some."

The bloggers had discussed a range of religious and other themes, including calls for women to be allowed to wear hijabs (headscarves), men to have beards and children to be allowed to pray in mosques (see below).

Also punished for expressing his views on religious themes was Fazliddin Parpiyev, Imam-hatyp of a mosque in Tashkent's Yunusabad District. Uzbekistan's state-sponsored Muslim Board dismissed him from his position after he condemned the authorities' pressure on Muslims for wearing the hijab and growing beards and called on Muslims to complain to President Shavkat Mirziyoyev. Officials at the Muslim Board refused to discuss the Imam's dismissal with Forum 18 (see below).

Asked about the raids and arrests of the bloggers, the Interior Ministry on 20 September referred Forum 18 to Shakhrukh Giyasov, Chief of the Ministry's International Relations Section. Giyasov declined to discuss the cases with Forum 18. Asked why Police carried out a campaign of arrests of bloggers for speaking for religious freedoms, he responded: "It's not ethical to call by phone and ask about such issues." He asked Forum 18 to send questions in writing through the Foreign Ministry.

Censorship

Speaking and publishing on religious themes in Uzbekistan – including in print and online – is under tight state control. The import, production and possession of literature – including the Koran and the Bible – is strictly controlled. This includes material on mobile phones, tablets, personal computers, memory sticks and other electronic devices and media, with compulsory prior censorship by the state's Religious Affairs Committee. Punishments for those who violate these restrictions can be severe, including imprisonment.

Why were bloggers arrested?

The bloggers were arrested for "freely publishing their opinions on religious freedoms on Facebook and other social media and for criticising the authorities for restricting women wearing hijab in public places and state institutions, men growing beards and children attending Mosque", human rights defender Ikramov told Forum 18 from Tashkent.

According to information given him by the bloggers' relatives, "they were all charged for not obeying the orders of the Police", Ikramov added.

A relative of one of the bloggers, who asked not to be named for fear of state reprisals, confirmed this to Forum 18. They said that their relative and other bloggers "were recently actively promoting women's right to wear hijab and men's right to grow beards and the right of children to attend Mosque."

After Shavkat Mirziyoyev became President in 2016, "he released many prisoners of conscience from prisons and allowed public discussions on religious themes and freedoms", the blogger's relative told Forum 18. They said that their relative, like others, perceived this as "a beginning for greater freedoms and began writing blogs on these topics".

Asked why they think the authorities jailed the bloggers, the blogger's relative told Forum 18: "They do not want greater freedoms, I guess. Maybe these discussions were too much for them. They are afraid that people will become bolder and ask for more freedoms."

The authorities "wanted to showcase the arrests to intimidate all others who want to speak about freedoms", the blogger's relative added.

How many bloggers arrested?

The bloggers known to have been arrested between 27 August and 2 September and handed jail terms are Adkham Olimov (known by his penname Musannif), Miraziz Akhmedov, Tulkin Astanov, Ziyodullo (Rahmon) Kabirov and Ziyovuddin Rahim from Tashkent City; Otabek Usmonov from Andijan Region; Khurshidbek Mukhammadrozikov from Kokand in Fergana Region; and Dilshodbek Khalilov from Namangan Region.

Sulaymon Erkin and Shokir Sharipov (known as Mukhammad Shakur), who lives in Kibrai District of Tashkent Region, were detained and questioned, Ikramov told Forum 18. He could not confirm whether or not the two men were arrested.

Sharipov "was questioned on 27 August and released the same day because he has a disability," a Tashkent resident who has followed the bloggers and is familiar with the cases, who asked not to be named for fear of state reprisals, told Forum 18 on 17 September. "I know for a fact that those eight were arrested, but I also heard that many more could just have been questioned and released but not arrested."

In late July or early August, before the moves against other bloggers, Tashkent City's Uchteppa District Police opened a case against Davronbek Tojialiyev, who runs websites which publish Islamic materials. Forum 18 was told this by Uchteppa Police and Gayrat Ziyakhojayev, a Muslim man who was criminally convicted for downloading religious materials from Tojialiyev's websites. However, Tojialiyev told Forum 18 on 13 September he is not aware that a case against him is current.

Campaign's "pre-planned scenario"

Ikramov complained to Forum 18 that the arrests were a campaign carried out "according to a pre-planned scenario by officers of the State Security Service (SSS) secret police and the regular Police in various regions in violation of Uzbekistan's law and international norms."

"Up to ten officials in plain clothes would arrive at a blogger's home in the evening or late at night, and without showing their identification documents or warrant carried out searches," Ikramov complained. "They confiscated desktop and laptop computers, DVD discs, memory chips, and mobile phones of family members. They did not provide the families with copies of the confiscation record."

Typical of the raids was that on Olimov's home in Tashkent. Officers of the SSS secret police and Almazar District Police broke into his flat in Sebzor mahalla [city district] at 19:30 on 28 August, Ikramov complained to Forum 18. Eight officers "without showing their IDs or telling their names carried out an unauthorised search. They seized two desktop computers, two laptop computers, two computer hard drives, DVD discs, memory chips, and three mobile phones as well as several books."

Ikramov told Forum 18 that the authorities have not returned the property. Officers told Olimov that it will have to go through an "expert analysis" and only then will the authorities decide what to do with it.

After raiding their homes in various parts of the country, officers then took the bloggers to police stations and brought them before the courts, Ikramov added.

Jail terms

Judges in their turn "in the absence of defence lawyers and witnesses and without notifying their relatives handed down administrative arrests", Ikramov complained.

Among the early arrests in Tashkent was that of Astanov on 27 August, Ikramov and a Tashkent resident familiar with the cases told Forum 18. A court then jailed Astanov for ten days.

After Olimov's arrest on the evening of 28 August, officers held him for four hours at Tashkent's Almazar Police Station. They then brought him before Almazar District Administrative Court, where Judge Sherbek Inamjanov handed down his punishment at 00:30 am. Judge Inamjanov "in violation of the procedures heard the case in the absence of Olimov's relatives or any witnesses," Ikramov complained.

In the early hours of 29 August, Judge Inamjanov found Olimov guilty under Article 194, Part 1 and Article 195 of the Administrative Code.

Article 194, Part 1 punishes failure to carry out the lawful demands of a police officer or other persons carrying out duties to guard public order with a fine of up to twice the minimum monthly wage.

Article 195 punishes resisting the orders of police officers, and punishments are between three times the minimum monthly wage and 15 days' detention.

Judge Inamjanov handed Olimov a 15-day jail term and fined him 184,300 Soms or one month's minimum wage, according to the decision seen by Forum 18. He also ordered Olimov to pay 27,645 Soms or 15 per cent of the minimum monthly wage for each day spent in prison to "cover the expenses of his administrative arrest".

"These were fabricated charges just to put Olimov in custody," Ikramov told Forum 18. All the other bloggers were brought to trial under "the exact same charges", he added.

In separate hearings later on 29 August, Tashkent's Almazar District Administrative Court similarly handed down 15-day jail terms on Kabirov and Rahim, a person familiar with the cases told Forum 18 from Tashkent.

Between 10 and 19 September, officials (who refused to give their names) of Tashkent's Almazar District Administrative Court, which heard the cases of Olimov, Kabirov and Rahim, refused to discuss them with Forum 18.

Asked why he punished Olimov with administrative arrest, Judge Inamjanov, who heard the case, evaded the question. "He will be released after he finishes his 15-day arrest," he told Forum 18 on 10 September. Told that human rights defenders and independent journalists complained that his Court had punished Olimov, Kabirov and Rahim for speaking on religious freedoms, the Judge declined to discuss anything more. "Please, send your further questions in writing to the Supreme Court."

Asked between 10 and 11 September about the arrests of the three bloggers, officials (no names were given) of Almazar Police referred Forum 18 to Lieutenant Colonel Bakhadyr Yusufjanov, Deputy Chief of Almazar Police, as well as Major Makhmud Tolipov, Chief of Almazar Police's Struggle against Extremism and Terrorism Division. Both of them refused to discuss why they arrested the three men.

Major Tolipov on 10 September greeted Forum 18, but as soon as it asked why Olimov, Kabirov and Rahim were arrested he claimed that it is a "wrong number". He then put the phone down. Subsequent calls to him between 10 and 11 September went unanswered.

Lieutenant Colonel Yusufjanov, reached by Forum 18 twice on 11 September at his landline and mobile phone numbers, provided by Almazar Police officials, claimed that it was a wrong number. "I work for a florist," he told Forum 18. When Forum 18 asked why

Almazar Police arrested the bloggers, he replied angrily: "Who are you to question me?" He then put the phone down.

The rest of the bloggers were arrested between 28 August and 2 September.

Appeals unsuccessful

Judge Jahongir Jurayev of Tashkent City Administrative Court rejected Olimov's first appeal on 6 September, according to the decision seen by Forum 18. The Supreme Court rejected his further appeal on 11 September, Ikramov told Forum 18. Both appeals were heard while Olimov was in detention.

Held for five days in Tashkent City Police basement

The first five days of his arrest Olimov spent in the basement of Tashkent City Police Station, Ikramov told Forum 18. "Neither Almazar Police nor the District Prosecutor's Office would tell Olimov's relatives where exactly he was being kept," Ikramov complained. "Not until 4 September was his lawyer allowed to see him."

While Olimov was in custody, SSS secret police and Interior Ministry officers "pressured relatives not to talk to human rights defenders, foreign journalists and international human rights organisations", Ikramov told Forum 18.

Olimov was released on 11 September on the fourteenth day of his arrest, Ikramov said. Olimov paid the fine and an additional 359,385 Soms for the 13 days he spent in prison.

On the day of his release, Olimov told the BBC Uzbek service that "though the law-enforcement agencies did not physically abuse me, they put psychological pressure on me". He was questioned while in prison on the blogger Shokirov and his position on hijabs and beards.

Another of the Tashkent-based bloggers, Astanov, was released on 6 September after ten days of custody, Ikramov and the Tashkent resident told Forum 18. The rest of the bloggers - arrested between 28 August and 2 September - were all released on 11 September.

Imam dismissed for speaking for religious freedoms

Dismissed from his position as Imam-hatyp of the Omina Mosque in Tashkent's Yunusabad District was Fazliddin Parpiyev. Usman Olimov, Chief Mufti of Uzbekistan and Chair of the state-sponsored Muslim Board, dismissed Imam Parpiyev allegedly for health reasons.

The 8 September Muslim Board decision, signed by Chief Mufti Olimov and seen by Forum 18, declares that Imam Parpiyev was dismissed on the ruling of the Board's Ethics Committee "on the basis of Article 100, Part 2 of Uzbekistan's Labour Code". It does not specify why he was dismissed.

Labour Code Article 100, Part 2 allows an employer to dismiss an employee for "incompatibility of the employee for the job they carry out as a result of their insufficient qualification or lack of health".

However, the independent Uzbek media reported that Imam Parpiyev was dismissed for his "open criticism of the authorities' restrictions on wearing hijab and growing beards as well as on children attending mosque".

The 32-year-old Parpiyev is a graduate of Medina Islamic University and Tashkent Islamic University. He had been appointed Imam of Omina Mosque one month earlier, Uzbek news agency eltuz.com reported on 9 September.

In his 7 September sermon after Friday prayers, Imam Parpiyev "called on his community members to write complaints to President Mirziyoyev about the pressure by the authorities on women not to wear hijab and men not to grow beards."

Eltuz noted that "Parpiyev at first published his sermon on his Facebook page but then removed it." He also told his online audience that "he was planning to criticise the Uzbek government's religious policies."

Imam Parpiyev "wrote on his Facebook page on 9 September that the public should not expect him to speak on this issue any longer since he was dismissed from his position", the news agency noted.

Asked why the Imam was dismissed, Akmal Khan Shakirov, the official responsible for international relations at the Muslim Board, asked Forum 18 on 17 September to call back later. "I am busy at a round table," he claimed. Called back several times between 17 and 18 September he did not answer his phones.

Similarly reluctant to talk about the issue was Abdulazim Mansurov, Deputy Head of the Muslim Board. On 18 September he claimed to Forum 18 that "I cannot talk to you because we are busy with guests."

Secret Supreme Court hearing rejects appeal

By Mushfig Bayram

Forum 18 (14.09.2018) - <https://bit.ly/2pheiS4> - Without his participation or knowledge, Uzbekistan's Supreme Court rejected Gayrat Ziyakhojaye's appeal against his criminal conviction for sharing Muslim texts with friends. A Tashkent Region court returned a criminal case against a Jehovah's Witness couple to prosecutors. The case seeks to punish them for sharing their faith with others.

In a secret hearing on 24 August, Uzbekistan's Supreme Court rejected the appeal of Gayrat Ziyakhojaye against his criminal conviction for sharing Muslim texts with his friends. However, just days earlier a Tashkent Region court returned a criminal case against a Jehovah's Witness couple to prosecutors because of numerous procedural errors. The cases come amid continuing state restrictions on speaking, publishing and sharing texts on religious themes.

Ziyakhojaye was convicted in June for possessing texts he had downloaded from a website officially allowed in Uzbekistan. Judge Khasan Egamberdiyev, who held the hearing in Ziyakhojaye's absence and without his knowledge, refused to discuss the case with Forum 18. He also refused to say if and when Ziyakhojaye's father's appeal for the return of his seized computer will be considered (see below).

Tashkent City's Uchteppa District Police opened a case against Davronbek Tojaliyev, who runs the websites ziyouz.uz and ziyouz.com, from which Ziyakhojaye downloaded the religious materials. Uchteppa Police questioned Ziyakhojaye as a witness in the case on 8 August. Tojaliyev told Forum 18 he is not aware that a case against him is current (see below).

Tashkent's Shaykhontokhur District Passport Police seized Ziyakhojayev's passport on 9 July and refused to issue an exit visa. Police told him that the State Security Service (SSS) secret police took away his passport. "Only after your calls to the authorities did they return it with an exit visa," he told Forum 18. "However, they warned me not to travel to Europe, especially to England, 'because it is the den of Islamic terrorists', as they put it" (see below).

Meanwhile, a Tashkent Region court returned a criminal case against Jehovah's Witnesses Yevgeni Kupayev and Natalya Kupayeva to prosecutors. The case has been brought to punish them for sharing their faith with others (see below).

Bloggers, imam punished for speaking out

In late August, the authorities arrested at least ten bloggers across the country for expressing their opinions on freedom of religion or belief issues, such as the freedom of Muslim women to wear the hijab (headscarf), men to grow beards and children to be allowed to attend mosque. At least twelve were given administrative arrests of up to thirty days (see forthcoming F18News article).

Also punished for expressing his views on religious themes was Fazliddin Parpiyev, Imam-hatyp of a mosque in Tashkent's Yunusabad District. Uzbekistan's state-sponsored Muslim Board dismissed him from his position after he condemned the authorities' pressure on Muslims for wearing the hijab and growing beards and called on Muslims to complain to President Shavkat Mirziyoyev (see forthcoming F18News article).

Speaking and publishing on religious themes in Uzbekistan is under tight state control. The import, production and possession of literature – including the Koran and the Bible – is strictly controlled. This includes material on mobile phones, tablets, personal computers, memory sticks and other electronic devices and media, with compulsory prior censorship by the state's Religious Affairs Committee. Punishments for those who violate these restrictions can be severe, including imprisonment (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Supreme Court rejects appeal in secret hearing

Tashkent-based Muslim Gayrat Ziyakhojayev has failed to overturn in the Supreme Court his criminal conviction for possessing Islamic materials on his phone, found by police in 2017. At the first instance Court, Tashkent City's Uchteppa District Criminal Court on 12 June 2018 convicted Ziyakhojayev under Criminal Code Article 244-1, Part 2.

Article 244-1 punishes "Production, storage, distribution or display of materials containing a threat to public security and public order", with Part 2 punishing "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".

Punishments, which Ziyakhojayev faced, are a fine of up to 400 times the minimum monthly wage and deprivation of liberty for between three and five years. This Article is normally used against Muslims exercising their freedom of religion and belief.

Although the court convicted Ziyakhojayev and he now has a criminal record, it freed him from punishment based on Criminal Code Article 70. However, it ordered his notebook computer and mobile phone to be destroyed. These contain irreplaceable family photos and videos.

Ziyakhojayev unsuccessfully tried to overturn his conviction and return the computer, which belongs to his parents. On 17 July, Tashkent City Criminal Court upheld Ziyakhojayev's conviction and the decision to confiscate his property. "Judge Turgunova ignored all my objections to falsehoods in the case and did not even answer any of my questions," Ziyakhojayev told Forum 18 in July (see F18News 20 July 2018 http://www.forum18.org/archive.php?article_id=2397).

On 27 July, Ziyakhojayev appealed to the Supreme Court in Tashkent. He called for his criminal case to be re-investigated and his conviction overturned. On 14 August his father Abdugani Ziyakhojayev appealed to the Supreme Court insisting that the computer seized in his son's case and ordered destroyed belongs to him and demanding its return.

Both Gayrat Ziyakhojayev and his father Abdugani Ziyakhojayev complained that under Criminal Procedure Code Article 211, Part 1, "the files in question should have been deleted, and the computer with the other files on it should have been returned to the lawful owners".

Several times between 20 August and 5 September Gayrat Ziyakhojayev complained to Forum 18 that the Supreme Court was ignoring his and his father's appeals. Forum 18 has seen stamps of acceptance by the Supreme Court on these two appeals.

Ziyakhojayev complained to Forum 18 that the Supreme Court has "not notified me of what happened to my complaint in writing. Nor did the Judges, including Uchkun Ruziyev, who received us several times in the Court between 27 July and 14 August, tell us whether the Court will hear the appeal."

Asked whether and when the Supreme Court will hear Ziyakhojayev's and his father's appeals, Judge Ruziyev on 5 September claimed to Forum 18 that "I do not remember whether or not I received the mentioned persons." Told that Forum 18 has seen a copy of the Supreme Court stamps on the appeals showing that the Court accepted them, he responded: "Maybe I did receive them, but this doesn't mean that I will hear their cases." Asked when the Court will hear the appeals, he responded: "I cannot discuss cases with you over the phone." He then declined to talk to Forum 18 further.

On 6 September, one day after Forum 18 spoke to Judge Ruziyev of the Supreme Court, Ziyakhojayev received Judge Khasan Egamberdiyev's decision from 24 August to reject his appeal against his conviction. The decision, seen by Forum 18, claims that the Courts in earlier decisions "correctly qualified Ziyakhojayev's actions". Ziyakhojayev was not invited to the hearing and did not know about it until he received the written decision nearly two weeks after the alleged hearing.

Judge Egamberdiyev declined to discuss the case with Forum 18 on 7 September, including over why the hearing took place in secret without Ziyakhojayev even knowing about it. He also refused to tell Forum 18 whether or when the Court will hear Abdugani Ziyakhojayev's appeal for the return of the computer.

New case against website host?

Probably in July or early August, Tashkent City's Uchteppa District Police opened a case against Davronbek Tojialiyev, who runs the websites ziyouz.uz and ziyouz.com, from which Gayrat Ziyakhojayev had downloaded the Islamic materials for which he was prosecuted in Tashkent (see above).

Officer Dilmurod Akhmedov of Uchteppa District Police summoned Ziyakhojayev and questioned him in Tojialiyev's case on 8 August. "Some of my friends, who were

questioned in my case, were also summoned and questioned in this new case," Ziyakhojayev told Forum 18. In mid-August, Police questioned Tojialiyeu.

Officer Akhmedov on 31 August claimed to Forum 18 that "there will be no new punishments for Ziyakhojayev," and that he is "only a witness in the case". He refused to discuss the case against Tojialiyeu with Forum 18.

"Officially no criminal or administrative case has been opened against me," Tojialiyeu told Forum 18 on 13 September. He said he had not been detained or questioned. "Maybe Akhmedov had some plans, but I am not aware of them."

Exit visa denial overturned after two months

Ziyakhojayev applied on 9 July to the Shaykhontokhur District Division of the Interior Ministry's Passport Police for permission to leave Uzbekistan, the so-called exit visa required every two years to visit any country apart from a handful of former Soviet states. The Police at first confiscated his passport and other documents he submitted and refused to issue him the visa.

However, on 7 September, after Ziyakhojayev's complaints to higher authorities, they finally returned him the passport with the visa, nearly two months after he applied.

Initially the Passport Police officials told him that the SSS secret police took away his passport, and that "they are investigating his background".

After the Passport Police refused to return his passport, Ziyakhojayev on 8 August visited Senator Botir Matmuradov in Parliament's Upper Chamber and complained to him about the situation. He also filed a written complaint to the General Prosecutor's Office on 15 August.

"The Senator told me that he called various authorities, who told him that the SSS secret police is investigating my case. He told me that no one can help me," Ziyakhojayev lamented to Forum 18. "Everyone in Uzbekistan is afraid of the SSS, even Senators."

Asked whether the General Prosecutor's Office is investigating Ziyakhojayev's complaint, Prosecutor Surayyo Rakhmanova, Chief of the Press Office, told Forum 18 on 5 September that she is "not familiar with the case." She took the details, and promised Forum 18 that "We will look into the case, and let you know of our further actions".

Two days later, on 7 September, Shaykhontokhur District Criminal Police Officer Mirbosit Mirkosimov phoned Ziyakhojayev and summoned him to the Police. "Mirkosimov asked me to bring reference letters from my neighbours and the mahalla [city district] Committee," Ziyakhojayev told Forum 18.

After long questioning by Officer Mirkosimov and another official in plain clothes at Shaykhontokhur Police Station, officials returned Ziyakhojayev his passport with an exit visa.

"But before this they put me against the wall, and took my picture. They angrily asked me why I talked to international journalists. Thankfully, I talked to you, now I have my passport back," Ziyakhojayev told Forum 18. "However, they warned me not to travel to Europe, especially to England, 'because it is the den of Islamic terrorists', as they put it."

Criminal case returned to prosecutors

A court in Tashkent Region has returned to prosecutors a criminal case against a Jehovah's Witness married couple, Yevgeni Kupayev and Natalya Kupayeva, for sharing

their beliefs with others. Parkent Police had opened the case against both the Kupayevs on 14 March under Criminal Code Article 216-1 ("Inducement to participate in the activity of illegal public associations, religious organisations, movements, or sects"). Parkent District Criminal Court had been due to begin hearing the case on 23 July.

After the complaint of Jehovah's Witnesses, Parkent District Criminal Court ruled on 20 August to send the case back to the District Prosecutor's Office because of numerous procedural errors, Jehovah's Witnesses told Forum 18 on 28 August.

Criminal prosecution for sharing beliefs

By Mushfig Bayram, Forum 18

Jehovah's Witnesses Yevgeni Kupayev and Natalya Kupayeva face criminal trial on 23 July for sharing their beliefs. Police acted illegally during latest arrests, and a male police officer searched the bodies of women. Officials have refused to answer Forum 18's questions about their actions.

Forum18 (20.07.2018) - http://forum18.org/archive.php?article_id=2397 - The criminal trial of two Jehovah's Witnesses, Yevgeni Kupayev and his wife Natalya Kupayeva, for sharing their beliefs with others is due to begin in Tashkent Region on 23 July. The criminal charges come after previous Administrative Code convictions. Police acted illegally during the latest arrest, and a male police officer searched the bodies of women. They were freed the same day.

Police, prosecution officials and the judge have refused to answer Forum 18's questions about their actions, and put the phone down when Forum 18 asked why the state insists state permission is necessary to exercise fundamental human rights such as the freedom of religion and belief (see below).

On 17 July, a Tashkent court upheld Gayrat Ziyakhojayev's conviction for sharing Muslim texts containing "a threat to public security and public order". The court rejected his appeal against the conviction and an order to destroy his phone and computer containing irreplaceable family photos. He now intends to appeal to the Supreme Court. "Judge Turgunova ignored all my objections to falsehoods in the case and did not even answer any of my questions," Ziyakhojayev told Forum 18 (see below).

However, on 17 July a Fergana court overturned Muslim scholar and human rights defender Musajon Bobojonov's three-year suspended prison term on charges of disseminating "extremist" material. "I thank everybody who made efforts for my acquittal," he told Forum 18, "especially my lawyer Khotambek Madumarov" (see below).

Fined under Administrative Code

On 8 January, Yevgeni Kupayev and his wife Natalya Kupayeva were among a group of nine Jehovah's Witnesses fined 10 times the minimum monthly wage. The fines were imposed to punish them for distributing religious literature on a street in the village of Zarkent in Parkent District of Tashkent Region on 10 December 2017.

All were convicted under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"), and Article 240 ("Violation of the Religion Law"), Part 2 ("Attracting believers of one confession to another (proselytism) and other missionary

activity"). On 9 February the Supreme Court rejected appeals against the convictions (see F18News 6 April 2018 http://www.forum18.org/archive.php?article_id=2367).

Arrested after sharing beliefs

On 25 February, Senior Lieutenant Khozhiyev (first name not given) and other Parkent Police officers stopped Yevgeni and Natalya Kupayev, along with Aliya Sadikova and Elmira Davletshina, at a bus stop. The four Jehovah's Witnesses at the bus stop were returning home after they had shared their religious beliefs with people in the village of Karakalpak in Parkent District, Jehovah's Witnesses told Forum 18 on 18 July. Police physically forced the four into a patrol car, and took them to Parkent District Police Station where they were "rudely" questioned.

Women searched by male police officer

While at Parkent Police Station, Major Bobur Kurbanov of Parkent Police Criminal Investigation Department (CID) – a male police officer – searched the bodies of all four Jehovah's Witnesses, including the three women.

Women of all faiths throughout Uzbekistan are often targeted by male officials, including with the use of sexual violence (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Illegal statements and confiscations

Illegally, police then drew up statements allegedly from the Jehovah's Witnesses without their signatures. They also illegally confiscated mobile phones from the Jehovah's Witnesses.

Illegal police actions, unfair trials and flagrant violations of due process are common in Uzbekistan (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Police then released the four Jehovah's Witnesses that day.

Major Kurbanov refused to answer Forum 18's questions about his actions in detaining, searching, and behaving illegally towards the Jehovah's Witnesses. "I will not tell you why," he told Forum 18 on 19 July before putting the phone down.

"Banned imported materials which can be used for missionary activity"

On 27 February, the Religious Affairs Committee found what it described as "banned imported materials which can be used for missionary activity" on Yevgeni Kupayev's phone. A Criminal Code indictment (see below), seen by Forum 18, states that the Religious Affairs Committee claims that as the Jehovah's Witnesses are only registered in the town of Chirchik, under Religion law Article 8 their exercise of freedom of religion and belief anywhere else is banned.

The Committee goes on to state that the Jehovah's Witnesses should therefore be prosecuted under Criminal Code Article 216-1 ("Inducement to participate in the activity of illegal public associations, religious organisations, movements, or sects"). They justified this because the Kupayevs had previously been convicted under the Administrative Code.

The Criminal Code charge carries penalties of between a fine of 25 times the monthly minimum wage and three years' imprisonment (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

No state registration allowed

Religion Law Article 8 does, against Uzbekistan's binding international human rights law obligations, ban the unregistered exercise of freedom of religion and belief (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Jehovah's Witnesses' attempts to register communities outside Chirchik have been met with: fines for applying for registration; being tortured for trying to get state registration; and being fined for providing documents for registration.

Other religious communities have faced similar problems. The authorities in Urgench claimed this month (July 2018) to be unaware of Baptists trying to regain the registration of their church which was cancelled in 2004. Many communities are afraid to seek legal status. "Give us freedom of religion and belief, [and] we will ask for registration," one Protestant commented to Forum 18 (see F18News 18 July 2018 http://www.forum18.org/archive.php?article_id=2396).

Also, in May Uzbekistan added two new restrictions for religious communities seeking legal status (see F18News 18 July 2018 http://www.forum18.org/archive.php?article_id=2396).

Criminal trial to begin on 23 July

On 14 March, Parkent Police opened a case against both the Kupayevs under Criminal Code Article 216-1 ("Inducement to participate in the activity of illegal public associations, religious organisations, movements, or sects"). The indictment was signed by Senior Investigator Major Kurbanov of Parkent Police CID and Major Jaloliddin Yakubov, who is head of Parkent CID and led the investigation.

The indictment was endorsed by Parkent District Prosecutor Dilshod Ismayilov. His Assistant Akbarjon Zaynobiddinov refused on 19 July to put Forum 18 through to Ismayilov, and refused to answer when Forum 18 asked why the state insists state permission is necessary to exercise fundamental human rights such as the freedom of religion and belief.

The criminal case was handed to Parkent District Criminal Court. The trial is due to begin under Judge Tolibjon Khaidarov on 23 July.

Judge Khaidarov said "I cannot discuss this with you over the phone" when asked on 19 July why the Kupayevs face criminal prosecution for sharing their beliefs with others. He put the phone down when Forum 18 asked why the state insists state permission is necessary to exercise fundamental human rights such as the freedom of religion and belief.

Conviction and confiscation upheld

On 12 June, Gayrat Ziyakhojayevev was convicted of sharing Muslim texts containing "a threat to public security and public order", despite the fact that he downloaded them from an Uzbek website that is not banned. Although the court freed him of any punishment, he now has a criminal record and Judge Shamsiddin Tojiyev ordered his phone and computer containing irreplaceable family photos to be destroyed (see F18News 26 June 2018 http://www.forum18.org/archive.php?article_id=2390).

On 17 July, Judge Mukhtaram Turgunova of Tashkent City Criminal Court upheld Ziyakhojayev's conviction and the decision to confiscate his property. "Judge Turgunova ignored all my objections to falsehoods in the case and did not even answer any of my questions," Ziyakhojayev told Forum 18 on 18 July.

Ziyakhojayev has not yet received the legally required written copy of Judge Turgunova's decision, and when he does will appeal to the Supreme Court.

Judge Turgunova told Forum 18 on 19 July that "I cannot comment on my decision. You can ask for a copy of my decision". She then refused to talk more to Forum 18.

Acquitted

On 26 March, Kuva District Criminal Court in Fergana Region sentenced Muslim scholar and human rights defender Musajon Bobojonov to a three-year suspended prison term on charges of disseminating "extremist" material. The sentence imposed restrictions he described as "severe - virtually house arrest" (see F18News 6 April 2018 http://www.forum18.org/archive.php?article_id=2367).

The court punished Bobojonov for having on his computer for scholarly purposes an Islamic work which he did not fully agree with, and immediately began seeking "a full acquittal and clearing of my name" (see F18News 26 June 2018 http://www.forum18.org/archive.php?article_id=2390).

On 17 July, Judge Muradjon Mirzajanov of Fergana Criminal Court in the appeal case "fully acquitted me", Bobojonov told Forum 18 the same day. "I thank everybody who made efforts for my acquittal", he said, "especially my lawyer Khotambek Madumarov."

Judge Mirzajanov refused to comment on his decision to Forum 18 on 19 July. His Assistant Dilshod (who refused to give his last name) spoke to the Judge who refused to speak to Forum 18.

More legal personality restrictions imposed

By Mushfig Bayram, Forum 18

Uzbekistan has added two new restrictions for religious communities seeking legal status. Many communities are afraid to seek legal status, and if they seek it have been punished. "Give us freedom of religion and belief, [and] we will ask for registration" a Protestant told Forum 18.

Forum18 (18.07.2018) - http://forum18.org/archive.php?article_id=2396 - Uzbekistan has added two new restrictive requirements for seeking legal status, even though this is against the country's binding international human rights obligations. Religious communities seeking registration must also now provide:

- a notarised copy of Uzbekistan's official recognition of any official foreign or Uzbek religious education that has been completed by the head of a religious community;
- and a notarised copy of Uzbekistan's official recognition of any official foreign or Uzbek religious education that has been completed by the head of a religious educational institution run by the community.

There is no indication of what type of religious education, whether formal or informal, is covered by this second new registration requirement, and as there is no formal official centre to recognise foreign religious education fulfilling this new restriction is at present impossible. Officials have refused to explain why the government instead of abolishing restrictions has increased them (see below).

Many religious communities are afraid to seek legal status, even if they are not in principle opposed to seeking state registration. "Give us freedom of religion and belief, [and] we will ask for registration" a Protestant who did not wish to be named for fear of state reprisals told Forum 18 (see below).

Punishments for exercising freedom of religion and belief continue, including for seeking state registration. Forum 18 is aware of incidents including:

- continued total control of the Muslim community, with officials unable or unwilling to explain why, for example, the state and not mosque worshippers choose imams;
- Jehovah's Witnesses being fined for applying for registration in Samarkand;
- a Jehovah's Witness in Urgench being tortured after his community tried to get state registration;
- Jehovah's Witnesses in Bukhara being fined for providing documents for registration;
- and officials in Urgench claiming to be unaware of Baptists trying to regain the registration of their church which was cancelled in 2004 (see below).

Two new registration restrictions

Government Decree 409, signed by Prime Minister Abdulla Aripov on 31 May, on the rules for registration, termination and re-registration of religious organisations adds two new restrictive requirements for seeking legal status.

The Religion Law already bans all exercise of freedom of religion and belief without state permission, and imposes a complex registration procedure, including multiple written permissions from various state authorities. Communities smaller than 100 people can never gain legal status, as there is also a requirement for 100 adult Uzbek citizens willing both to be identified as founders and to supply their personal details to the authorities. Many people do not wish to do this for fear of state reprisals. The authorities also take full advantage of the system's complexity to arbitrarily block many registration applications (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

The 31 May Decree adds a further layer of complexity and more opportunities for the authorities to block registration applications, as religious communities seeking registration must also now provide:

- a notarised copy of Uzbekistan's official recognition of any official foreign or Uzbek religious education that has been completed by the head of a religious community;
- and a notarised copy of Uzbekistan's official recognition of any official foreign or Uzbek religious education that has been completed by the head of a religious educational institution run by the community.

There is no indication of what type of religious education, whether formal or informal, is covered by this second new registration requirement. The Religion Law also is imprecise about what the term religious education covers. At present, there is no formal official centre to recognise foreign religious education, so fulfilling this new restriction is at present impossible. It is unknown when the government will establish such a centre, and it is also unknown how long such recognition will take.

International human rights law allows anyone to meet to exercise freedom of religion and belief without state permission, as well as to offer religious education if they wish. If communities wish to seek registration "access to legal personality for religious or belief communities should", under international law, "be quick, transparent, fair, inclusive and non-discriminatory" (see the Organisation for Security and Co-operation in Europe (OSCE)/Venice Commission Guidelines on the Legal Personality of Religious or Belief Communities (see <http://www.osce.org/odihr/139046>). Uzbekistan is an OSCE participating State.

Why more restrictions?

Jasur Akramov, the Chair from April of the Religious Affairs Committee, has evaded answering Forum 18's questions about why the state demands people must ask for permission to exercise their freedom of religion and belief, and why the government instead of abolishing restrictions has increased them. Officials who would not give their names who answered Akramov's phone between 16 and 17 July refused to put Forum 18 through to Akramov or other officials, claiming they are all in meetings. Asked why officials are all day never available, an official claimed that "we are a very busy organisation".

The Religious Affairs Committee's main role is to stop people exercising their freedom of religion and belief (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Farkhod Khaitov, the regional Justice Department's official responsible for registering religious organisations the south-western Samarkand [Samarqand] Region, told Forum 18 on 16 July that the changes mean that organisations will pay a lower registration fee. However, he did not know when the government would establish the promised new centre to recognise foreign religious educational qualifications, or how long such recognition would take.

Khaitov would not explain why the state demands people must ask for permission to exercise their freedom of religion and belief, claiming that "we are not competent to answer this". He also refused to explain why the authorities punish those who ask for registration, claiming that "I cannot comment on the actions of executive authorities or mahalla committees as we are not under the same jurisdiction".

Khaitov stated that the regional Justice Department's role was to "verify the documents and within one month give a positive or negative response", although he did not explain why replies often take longer. He also stated that one reason for refusals was unexplained "discrepancies in the documents" (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

"Give us freedom of religion and belief, [and] we will ask for registration"

Many religious communities are afraid to seek legal status, even if they are not in principle opposed to seeking state registration. Speaking to a variety of religious communities from a number of faiths, a typical comment came on 16 July from a Protestant who did not wish to be named for fear of state reprisals: "Though the

authorities slowed down attacks against religious communities since [President Islam] Karimov's time, we will not ask for registration".

Some other religious communities do not think that there have been positive changes. One community told Forum 18 on 16 July that "there have been no changes or positive developments in our treatment by the authorities. They keep refusing registration and punishing people for exercising their freedom of religion and belief." Problems still experienced include "discrimination, humiliation, insults, violence, raids, detentions, fines, and imprisonments", even if communities are registered.

The Protestant explained that, even though they think there has been some change, "registration means state interference in our activity and possible punishments" (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Even religious communities which have state registration, and which claim not to face major problems, did not wish to be named for fear of state reprisals. Within the complex registration process, some identified mahalla [local district] committees – a key instrument of local state control of society – with the large number of documents they demand as one major registration obstacle. A common problem was refusal to register local communities' addresses, which blocks obtaining the many certificates necessary from other state authorities (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Mahalla committees are also used to impose state control on all Islamic religious communities, which unlike other religious communities is totally controlled by the government (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Samarkand's Gulistan mahalla committee Chair Abdurakhmon Kodyrov told Forum 18 on 13 July that the local mosque "was permitted by the local administration", and the imam was appointed by the state-controlled Spiritual Administration of Muslims in Tashkent. Asked why the state and not mosque worshippers choose the imam, mahalla Chair Kadyrov replied: "Imams must be educated in institutes chosen by the Spiritual Administration of Muslims, and must be appointed by them". Asked why this was so, he could not answer.

The Protestant added that "we will wait and see. If the authorities give us freedom of religion and belief, we will ask for registration."

Ongoing punishments for exercising freedom of religion and belief

Punishments for exercising freedom of religion and belief continue. For example, on 24 May a court in the southern city of Karshi [Qarshi] punished four members of a Baptist congregation for meeting for worship without state permission. One Baptist was jailed for five days after pointing out that he and his fellow Baptists did not break the Constitution or international human rights law, and the other three were fined several days' average wages. The Judge illegally did not specify exactly what part of the law the Baptists had broken, and told one Baptist: "Do your prayers at home. It is against the law of our state to meet for worship without state registration" (see F18News 21 June 2018 http://www.forum18.org/archive.php?article_id=2388).

Jehovah's Witnesses who wished to remain anonymous for fear of state reprisals told Forum 18 on 16 July that since January there have been about 16 raids and detentions for questioning in police stations. The latest case is in Parkent District in Tashkent Region against a married couple, Yevgeni Kupayev and Natalya Kupayeva, who face criminal charges explicitly referring to their community's lack of state registration (see F18News

20 July 2018 http://www.forum18.org/archive.php?article_id=2397). The Kupayev's face charges under Criminal Code Article 216-1 ("Inducement to participate in the activity 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' imprisonment (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

The Kupayevs were among a group of nine Jehovah's Witnesses who were in January fined 10 times the minimum monthly wage each for distributing religious literature on a street (see F18News 6 April 2018 http://www.forum18.org/archive.php?article_id=2367).

Fined for applying for registration

In the south-western city of Samarkand [Samarqand], Jamshed Umarov and other Jehovah's Witnesses on 3 April asked Gulistan mahalla committee about applying for registration. Mahalla committee Chair Kodyrov called the police, who confiscated Umarov's mobile phone and a tablet device, Jehovah's Witnesses told Forum 18.

Kodyrov claimed to Forum 18 on 13 July that "we did not call the police but they just visited us". Asked what the purpose of the visit was, he claimed that "they happened to be in the mahalla and decided to visit us". Asked why he did not ask the police to allow the registration process to continue, he claimed that "I cannot tell them anything. They have their own orders". Kodyrov did not answer when asked why the authorities punished Jehovah's Witnesses for asking for registration.

Police found Jehovah's Witnesses publications on the devices they had confiscated, and brought a case to Samarkand Administrative Court. Judge Zafar Karimov of the Samarkand Court on 25 April fined Umarov 344,480 Soms, or twice the minimum monthly wage, under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons").

Judge Karimov told Forum 18 on 12 July that he fined Umarov as "religious materials were found on his phone and tablet". Asked how religious communities could be expected to apply for registration if this was what happened, Judge Karimov replied "I do not know the exact procedures for the registration process".

Asked why the authorities demand state registration for all exercise of freedom of religion and belief, and then punish those who try to register, Judge Karimov replied that "if Umarov is not happy he can appeal against my decision".

Tortured for applying for registration

After the Jehovah's Witness community in Urgench [Urganch] in the north-western Khorezm Region tried to get state registration, police in October 2017 tortured Anvar Tajiyev and made death threats against him. Jehovah's Witnesses think this was a reprisal for the registration attempts. Hospitals were afraid to treat Tajiyev, who lost hearing in one ear and still suffers headaches. Many complaints to the President, national and local Prosecutor's Offices have led to no arrests or prosecutions despite this being a requirement of Uzbekistan's international human rights obligations require (see F18News 1 May 2018 http://www.forum18.org/archive.php?article_id=2374).

Fined for providing documents for registration

When Jehovah's Witnesses in Bukhara [Bukhoro] in south-western Uzbekistan prepared and presented documents for a registration application, on 13 April police at the request

of Khakim Sulaymanov, Chair of the Alisher Navoi mahalla committee, confiscated the documents.

"Police used an excuse that such document packages can only be handed to government officials", Jehovah's Witnesses stated. On 11 June Judge Jamol Sharipov of Bukhara Regional Administrative Court fined Fazliddin Tukhtaev 5,167,200 Soms, or 30 times the minimum monthly wage, under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons").

Judge Sharipov on 12 April claimed that Jehovah's Witnesses "did not do registration in the right order. The right way is for their organisation in Chirchik to ask Bukhara Administration to register their branch in Bukhara". Asked why he did not explain this to the Jehovah's Witnesses he claimed that "by presenting their religious materials to the mahalla committee they violated the Religion Law. This is defined as illegal distribution of religious materials."

Asked where whether the Bukhara authorities will register Jehovah's Witnesses if their Chirchik community requests registration, Judge Sharipov replied that "I do not know. I cannot speak for them".

Officials have allowed only one Jehovah's Witness community in the whole country – in the town of Chirchik in Tashkent Region – to have the state registration which officials insist is required before people can exercise their right to freedom of religion or belief. Officials in Fergana [Farghona] in 2006 cancelled the registration of the other Jehovah's Witness community which existed (see F18News 5 September 2006 http://www.forum18.org/Archive.php?article_id=837).

Jonibek Tilavov, Bukhara Regional Justice Department's official responsible for registration of religious organisations, refused to tell Forum 18 on 16 July why Tukhtayev was fined for asking for registration, and why registration to exercise freedom of religion and belief is compulsory. He then put the phone down.

How to regain registration?

The officially registered Baptist Union of Uzbekistan is trying to regain registration for its affiliate church in Urgench, whose registration from 1999 was cancelled in 2004 (see F18News 7 July 2004 http://www.forum18.org/archive.php?article_id=356). "We continued meeting for worship privately under constant fear of possible punishments, but we now want to re-open the Church for public worship", Baptists who asked not to be named for fear of state reprisals told Forum 18 on 13 July.

Baptists from the Baptist Union in Tashkent in mid-July visited the regional Justice Department, "but were not given a 'Yes' or 'No' answer".

Aybek Masharipov, head of Khorezm Regional Justice Department, on 14 June claimed to Forum 18 that "I am not aware of the Baptist's registration issue". When Forum 18 pointed out that Baptists had recently visited his Department he put the phone down. The official who answered his phone when called back, who would not give his name, claimed that Masharipov is busy and that he "cannot say anything on this issue."

Called once again on 16 July, Masharipov denied to Forum 18 he knew of the Baptists' visit and claimed that "I was not told that the Baptists visited the Department". He then refused to talk more.

Freed from punishment, but property ordered destroyed

By Mushfig Bayram

Forum 18 (26.06.2018) - <https://bit.ly/2KD8IFW> - *Three Muslims convicted in separate criminal cases for possessing Islamic texts are seeking to have their convictions overturned. Gayrat Ziyakhojayev in Tashkent received no punishment, but his computer and phone were ordered destroyed. "I do not want to carry a criminal record," he told Forum 18.*

A court in the capital Tashkent has convicted 31-year-old Gayrat Ziyakhojayev of sharing Muslim texts containing "a threat to public security and public order", despite the fact that he downloaded them from an Uzbek website that is not banned. Although the court freed him of any punishment, he now has a criminal record and the judge ordered his phone and computer containing irreplaceable family photos to be destroyed.

Ziyakhojayev is challenging the 12 June conviction, which came more than a year after police started interrogations in April 2017. "I did not violate the law, I do not want to carry a criminal record," he told Forum 18. "And my computer has a lot of valuable data on it, such as years of our family photos and a film of my sister's wedding."

After several fruitless visits to the court, Ziyakhojayev finally managed to get it to hand over the verdict on 22 June, ten days after the decision was handed down. "Today I filed an appeal in the Uchteppa Court," he told Forum 18 on 26 June. "I am now waiting to hear from the Court the date of the hearing" (see below).

Two other Muslims convicted for having Islamic texts are still seeking to have their convictions overturned.

Nearly three months after lodging his appeal against a suspended three-year prison term handed down on 3 April, Muslim scholar Musajon Bobojonov complains that Fergana Regional Court has ignored the appeal and will set no date for it to be heard. He was punished for having on his computer for scholarly purposes an Islamic work which he did not fully agree with. He has likened his conditions to "virtual house arrest" and insists he is seeking "a full acquittal and clearing of my name" (see below).

The lawyer for jailed Shia Muslim Jahongir Kulijanov is planning to lodge a cassational appeal to Bukhara Regional Court on 29 June, a relative told Forum 18. Arrested in May 2017, he is serving a five-year prison term for storing on his mobile phone and personal computer "extremist religious materials". These consisted of audio files, in Russian, on the history of the Battle of Karbala and the killings of Shia Imams, and opinions of Shia scholars on matters of the Islamic faith (see below).

Long-running questioning leads to criminal trial

Hairdresser Abduboki Yunusov and his regular customer Gayrat Ziyakhojayev were repeatedly questioned by police in Tashkent after police stopped one of Yunusov's cousins late at night on the street and searched him. They found Islamic materials on his phone. Between April and October 2017, police repeatedly interrogated Yunusov, his family, and Ziyakhojayev, who are all Muslims.

Some years ago Ziyakhojayev bought a book entitled "Islam between Two Fires", which had passed state censorship and was published by the still-operating Mavoronnahr publishing house. He had shared the book, which is critical of non-Islamic missionary movements, with Yunusov. Police found the book on Yunusov's phone and then summoned Ziyakhojayev for questioning (see F18News 27 October 2017 http://www.forum18.org/archive.php?article_id=2329).

Investigators then handed the materials for an "expert analysis" to the government's Religious Affairs Committee, which assigned them to Committee official Jakhongir Jurayev. In his 21 November 2017 written analysis, seen by Forum 18, Jurayev claimed without giving any evidence that Ziyakhojayev's phone had material with "banned ideas of religious sectarianism".

The Religious Affairs Committee frequently produces "expert analyses" to justify literature confiscations and destructions (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

In January 2018, Ziyakhojayev wanted to travel to Moscow to meet human rights defenders from the Russian human rights group Memorial. However, the authorities stopped him at the border with Kazakhstan. He was eventually charged under Criminal Code Article 244-1 ("Production, storage, distribution or display of materials containing a threat to public security and public order"), Part 2 ("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"). Punishments are fines or imprisonment of up to five years (see F18News 6 April 2018 http://www.forum18.org/archive.php?article_id=2367).

Ziyakhojayev's criminal trial began under Judge Shamsiddin Tojiyev at Tashkent's Uchteppa District Criminal Court on 13 April (see F18News 13 April 2018 http://www.forum18.org/archive.php?article_id=2369).

Religious Affairs Committee official avoids court

Judge Tojiyev adjourned the trial several times between 13 April and 12 June, as Jakhongir Jurayev of the Religious Affairs Committee – who had prepared the November 2017 "expert analysis" – failed to come to court to testify, Ziyakhojayev told Forum 18. Court officials called Jurayev on his mobile phone, but "once he said he would be in the Court in half hour, another time he said he was on the way but never came. Other times he just switched off his phone."

Jakhongir Jurayev "had been busy" every day the court was sitting, Ulugbek Jurayev, the Assistant to the new Chair of the Religious Affairs Committee Jasur Akramov, claimed to Forum 18 on 18 June. Asked why his colleague could not find time to attend court, Ulugbek Jurayev responded: "I do not know." He then claimed that Forum 18 could not speak to the missing official as "he is on sick leave".

"Banned ideas of religious sectarianism"?

Jakhongir Jurayev's November 2017 "expert analysis" finding that Ziyakhojayev allegedly had material with "banned ideas of religious sectarianism" was used in the prosecution case.

However, A. Gimranov, an official of Uzinfocom, the agency that develops and maintains the information systems for state agencies, which is under the Information Technologies and Communications Development Ministry, told the Court on 5 June that the website ziyouz.com, from which Ziyakhojayev downloaded the Islamic religious material, is a "mirror copy of the website ziyouz.uz, which is officially registered in Uzbekistan. The contents of both websites are similar and link to each other".

M. Mirismailov, the Religious Affairs Committee official who appeared before the Court on 25 May in Jakhongir Jurayev's place, "could not answer me when I asked why the website from which I downloaded the materials is not banned and still functioning", Ziyakhojayev told Forum 18. Judge Tojiyev also could not answer Ziyakhojayev when he asked why he was facing criminal charges for having material from a website that is not banned.

Ulugbek Jurayev of the Religious Affairs Committee confirmed to Forum 18 that the ziyouz.com website is not banned. Asked why his colleague claimed material from the website contained "banned ideas of religious sectarianism", Ulugbek Jurayev replied: "You can ask him when he is back at work."

Computer and phone ordered destroyed

Punishments under Criminal Code Article 244-1, Part 2, which Ziyakhojayev faced, are a fine of up to 400 times the minimum monthly wage and deprivation of liberty for between three and five years. This Article is normally used against Muslims exercising their freedom of religion and belief (see Forum 18's Uzbekistan freedom of religion and belief survey http://www.forum18.org/archive.php?article_id=2314).

In the final hearing on 12 June, Judge Tojiyev freed Ziyakhojayev from responsibility based on Criminal Code Article 70, but ordered his notebook computer and mobile phone to be destroyed, according to the verdict seen by Forum 18.

Article 70 allows a judge to release from punishment an individual who has committed a crime "if it is recognised that by the time of the case's consideration in court the circumstances have changed or the person, as a consequence of their faultless conduct or responsible attitude to work or education, stopped being harmful to the public".

Forum 18 tried to reach Judge Tojiyev to ask why he had not acquitted Ziyakhojayev and why he ordered the destruction of his phone and his computer, which contains irreplaceable family photos and a wedding video. However, Farukh Farkhodov, Tojiyev's Assistant, claimed to Forum 18 on 14 June that "the Judge is busy and I cannot say why".

Zakhid Nuriddinov, Chair of the Court's Chancellery, also refused to comment on the case, but told Forum 18 that "with Judge Tojiyev's permission" Ziyakhojayev could ask to receive a copy of the family data on the computer.

Court ignores appeal against three-year suspended prison term

Muslim scholar Musajon Bobojonov complains that for nearly three months Fergana Regional Court has ignored his appeal against a suspended prison term.

After Bobojonov lent his computer to a relative, police found on it a copy of an Islamic book which he had partially read. He told Forum 18 he had the book for the purpose of research and writing, and did not agree with some passages in it. On 26 March, Kuva District Criminal Court sentenced him to a three-year suspended prison term on charges of disseminating "extremist" material. He will be under restrictions during this time. He described the punishment as "severe - virtually house arrest" (see F18News 6 April 2018 http://www.forum18.org/archive.php?article_id=2367).

Bobojonov filed an appeal against his sentence to Fergana Regional Court on 3 April. "The Court told me they have accepted the appeal, but in violation of procedure it has not heard the case after 84 days, and will not give me a date for the hearing," he complained to Forum 18. The court should have heard the appeal within twenty days after they accepted the appeal, he added.

"The Court kept sending mediators to me to close the case by cancelling the criminal case and instead giving me an administrative fine," Bobojonov told Forum 18. "I did not agree to this - I want a full acquittal and clearing of my name."

Dilshod (he refused to give his last name), Assistant to Judge Muradjon Mirzajonov, Chair of Fergana Regional Court, refused to tell Forum 18 why the Court has not heard Bobojonov's appeal despite the fact 84 days passed from the date of acceptance. He also refused to put Forum 18 through to the Chair.

Dilshod instead referred Forum 18 to Gulnoza Khudayberdiyeva, Secretary of the Court's First Instance Appeals Board. She did not answer the phone on 26 June. Called back, Assistant Dilshod refused to put Forum 18 through to any other officials of the Court. He claimed he does "not hear well" while Forum 18's end of the line was very clear. He then put the phone down.

Jailed Shia Muslim to lodge cassational appeal

Munojot Parpiyeva, the lawyer for jailed Shia Muslim Jahongir Rizoyevich Kulijanov (born 5 October 1982), has prepared a cassational appeal against his conviction and five-year jail term. She is planning to lodge the appeal to Bukhara Regional Court on 29 June, his brother Saidjamol Kulijanov told Forum 18 from Bukhara on 22 June.

The State Commission that considers pardons for prisoners has not yet responded to Jahongir Kulijanov and his relatives' earlier appeal for a pardon (see F18News 29 March 2018 http://www.forum18.org/archive.php?article_id=2365).

Trouble for Jahongir Kulijanov and other members of Bukhara's Shia Muslim community who used to attend the city's Khoji mir Ali Shia Mosque began on 2 February 2017. Officers of Bukhara City Police and the then NSS secret police arrested him and 19 others. Five – including Jahongir Kulijanov – were jailed for 15 days, where they were tortured with kicking and severe beatings.

The NSS secret police arrested Kulijanov again on 30 May 2017 and investigators brought a case against him under Criminal Code Article 244-1, Part 3 (a) and (d) ("production, storage, distribution or display of materials containing a threat to public security and public order" by a group of people and using the media or the internet). Punishment under this Part of the Article is between five and eight years' imprisonment.

Investigators deemed "extremist" a Russian-language audio file they found on Jahongir Kulijanov's phone recounting the story of the Battle of Karbala in 680 (61 in the Islamic Calendar), when Husayn ibn Ali, the grandson of the Muslim prophet Muhammad, was killed. Shia Muslims regard the Battle as a tragedy and Husayn as a martyr.

Bukhara Regional Criminal Court jailed Kulijanov in October 2017 on charges of storing "extremist religious materials" on his mobile phone and computer. The five-year term is deemed to run from his arrest on 30 May 2017. Human rights defenders deny that the materials – on the history of Shia Islam – constituted incitement to harm the human rights of others (see F18News 29 March 2018 http://www.forum18.org/archive.php?article_id=2365).

"The lawyer filed an appeal to Bukhara Regional Court within the ten days allowed for an appeal after the verdict is issued, but the Court claimed that the appeal was not prepared properly and returned it to us." Saidjamol Kulijanov complained that the Court would not then accept an appeal on the essence of the case, saying that the ten day term had run out.

Bukhara Regional Court's Chancellery official (who did not give his name) refused to tell Forum 18 on 26 June why the Court did not accept the appeal from Kulijanov's lawyer on time. He referred Forum 18 to Akram Rakhimov, Secretary of the First Instance Appeal Board.

Rakhimov refused to tell Forum 18 why the Court did not accept the first appeal but claimed: "Their lawyer has not submitted a cassation appeal to us yet."

Five-day jail, fines for unapproved worship

By Mushfig Bayram, Forum 18

Forum18 (21.06.2018) - <https://bit.ly/2ItNgf7> - *Nabijon Bolikulov was jailed in Karshi for five days and three fellow Baptists were fined for meeting for worship without state permission. The Judge told Bolikulov: "Do your prayers at home. It is against the law of our state to meet for worship without state registration."*

A court in the southern city of Karshi [Qarshi] has punished four members of a Baptist congregation for meeting for worship without state permission. One Baptist was jailed for five days after pointing out that he and his fellow Baptists did not break the Constitution or international human rights law, and the other three were fined several days' average wages. The Judge illegally did not specify exactly what part of the law the Baptists had broken.

"Each time they come they film us and record our names," Nabijon Bolikulov told Forum 18 after his release from a five-day jail term. "And then they gradually punish our people whose names they record." During his trial, the Judge told Bolikulov: "Do your prayers at home. It is against the law of our state to meet for worship without state registration" (see below).

In Urgench [Urgench] in the north-western Khorezm Region, two officers from the local police Department for the Struggle with Extremism and Terrorism broke into the home of a Protestant. They handed him an official warning that he must not participate in unlawful religious meetings, must not keep religious literature in his home, must not teach religious doctrines, and must not violate the Religion Law. Local Protestants pointed out to Forum 18 that the warning given to Saidjon Urazov is itself illegal (see below).

In the capital Tashkent, a Baptist has failed to overturn on appeal an illegal fine and the destruction of a memory chip with family photos. The original court illegally put Alina Chernikova on trial without informing her that a trial was taking place. Both the original court and the appeal court also illegally failed to supply her with copies of their decisions within the legally specified time (see below).

And also in Urgench, a court lowered a fine illegally imposed on a Protestant, but left unchanged an order that confiscated religious literature including a Bible should be destroyed and her phone confiscated. Illegally, neither the police who opened the case, nor the Court which heard it, had informed Shakhzoda Rajabova about the original trial. She also had her mobile phone taken for the authorities to use themselves, the first time she heard of the trial being 82 days later (see below).

All exercise of freedom of religion and belief with others without state permission is illegal, including sharing any beliefs with anyone, and meeting with others for worship or the study of sacred texts in homes. "Law enforcement" officials raid with impunity people

of all faiths meeting together to exercise freedom of religion and belief. 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 Islamic texts and the Bible - confiscated and destroyed (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Jasur Akramov, the new Chair of the Religious Affairs Committee, has evaded answering Forum 18's questions about why people exercising their freedom of religion and belief continue to be jailed and fined, and also have their own religious literature confiscated and destroyed (see below).

Karshi: Raid, seven and a half hour interrogations, trial

On 23 May Karshi Police officers (who would not give their names) raided the homes of both Khamid Rakhmonov and Ziyatullo Rakhmonov (not related to Khamid) in Yakkabog District of Kashkadarya Region. Officers took the two men to Karshi Police Station, where they questioned them on why they attend Baptist worship meetings which do not have state permission, and who invites them to these meetings, a local Protestant told Forum 18 on 13 June.

Police also on 23 May summoned for questioning Nabizhon Bolikulov and other local Baptists, including Viktor Tashpulatov, Mikhail Balykbayev, Munira Gaziyeva, and Svetlana Andreychenko. All the Baptists were held at the Police Station for seven and half hours, from 11.30 am to 7 pm. When they were released, police told the Baptists to come to the Police Station at 2 pm the next day, 24 May.

When the Baptists arrived at the Police Station on 24 May, officials took them directly to Karshi Administrative Court. The authorities did not allow other Baptists enter the Court to support their fellow-believers.

Judge tries to stop Baptist worship meetings without state permission

During the 24 May hearing, Judge Azamat Khushvakhtov asked Bolikulov questions such as: "Who invited you to the worship meetings?"; "Where did you get Bibles?"; and "Will you go on attending the meetings?".

When Bolikulov answered that he bought his Bible in Tashkent from the officially registered Bible Society, and that he will continue attending the meetings, Judge Khushvakhtov replied: "Do your prayers at home". The Judge then told him that "it is against the law of our state to meet for worship without state registration".

Council of Churches Baptist congregations exercise their right under international human rights law not to apply for state permission to meet for worship. However, Uzbekistan against international law makes state permission compulsory for exercising freedom of religion and belief (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Judge Khushvakhtov also threatened the Baptists that if they continue holding meetings for worship without state permission, he "will file a petition to the Prosecutor's office to open a criminal case against Tashpulatov, Balykbayev, Gaziyeva and Andreychenko".

Bolikulov protested at the Judge's attempt to coerce the Baptists into stopping meeting for worship, pointing out to the Judge that the Baptists are exercising their rights as recognised in both Uzbekistan's Constitution and the country's binding legal international human rights obligations. He pointed out that the Baptists are not violating either the Constitution or international human rights law by holding their worship meetings.

However, Judge Khushvakhtov jailed Bolikulov for five days on 24 May. "Immediately after the Judge announced the verdict, the officers handcuffed me, and took me to Karshi Police's detention centre," Bolikulov stated. "I was kept there for five days and was released on 29 May." While he was in custody the police officers on duty "treated me normally" he added.

The Judge also fined Khamid Rakhmonov, Ziyatullo Rakhmonov (not related to Khamid) and Jamol Bobomurodov one month's minimum monthly wage each, or 172,240 Soms, Bolikulov told Forum 18 on 13 June. These fines represent about three days' average wages for those in formal work.

The Judge punished all four Baptists under Administrative Code Article 240 ("Violation of the Religion Law"), but did not against the law did not specify what exactly they had done to violate this Article. All the parts of this Article ban the exercise of freedom of religion and belief without state permission, as well as restricting what aspects of this freedom can be exercised with state permission (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Judge Khushvakhtov refused on 13 June to answer Forum 18's questions about the punishments he imposed on the Baptists. As soon as Forum 18 introduced itself he put the phone down immediately. He did not answer further phone calls on the same day.

"Each time they come they film us .. then they gradually punish our people"

Bolikulov told Forum 18 that the punishments also follow previous raids and fines imposed on Karshi Baptists for meeting for worship (see eg. F18News 18 November 2015 http://www.forum18.org/archive.php?article_id=2122). "Each time they come they film us and record our names," he explained. "And then they gradually punish our people whose names they record."

Police carry out both covert and open surveillance of all religious communities (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Urgench: Illegal warning not to exercise freedom of religion and belief

Captain Mukhammad Rakhimov and another officer of Urgench Police's Department for the Struggle with Extremism and Terrorism from Urgench in the north-western Khorezm Region on 11 June broke into the flat of Saidjon Urazov. Captain Rakhimov gave Urazov, a Protestant, an official warning that he must not participate in unlawful religious meetings, must not keep religious literature in his home, must not teach religious doctrines, and must not violate the Religion Law.

Urazov refused to sign the warning Protestants from Urgench, who asked not to be identified for fear of state reprisals, told Forum 18 on 15 June. The Protestants pointed out that the warning was illegal, as such warnings can only be given within one year of a conviction of breaking the Code of Administrative Offences.

Major Khamro Masimov, Chief of Urgench Police's Department for the Struggle with Extremism and Terrorism, and his deputy Captain Rakhimov did not answer their phones on 18 June. Duty officers at Urgench Police, who would not give their names, would not put Forum 18 through to any officials to discuss the case. Major Masimov and Captain Rakhimov have also raided and threatened Urgench Baptists with criminal prosecution for meeting for worship at at Easter (see F18News 24 May 2018 http://www.forum18.org/archive.php?article_id=2380).

Urazov was one of the Protestants present when on 23 July 2017 police armed with automatic weapons raided a church meeting for worship in Pastor Ahmadjon Nazarov's flat. All those present were arrested and taken to Urgench Police Station, where the women were strip searched. Women in the church have been particularly targeted by officials (see F18News 7 August 2017 http://www.forum18.org/archive.php?article_id=2304).

Tashkent: Illegal fine upheld, another illegality committed by court

On 22 January police in the capital Tashkent claiming to be conducting a passport check raided the home of Aleksandr Khokhlov, a member of the local state-registered Baptist Church. Kholkov's step-daughter and fellow-Baptist Alina Chernikova was arrested and taken for questioning. On 7 February Bektemir District Administrative Court in Tashkent illegally put Chernikova on trial without informing her that a trial was taking place.

Chernikova was convicted without the chance to defend herself and fined 20 times the minimum monthly salary under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). The court also ordered the confiscation and destruction of a memory chip with personal family photographs. The decision was given to her 33 days after the legally specified time for such decisions to be delivered (see F18News 19 March 2018 http://www.forum18.org/archive.php?article_id=2361).

Unjust trials with flagrant breaches of due process are normal (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Chernikova paid the fine without waiting for the result of cassation appeal on her case, Protestants who wished to be anonymous for fear of state reprisals told Forum 18 on 18 June. On 8 May Judge Jakhongir Jurayev of the Cassation Appeals Board of Tashkent Administrative Court upheld the original decision. That Court delivered its decision to her on 12 June, 31 days later than the three day limit the law requires.

Dadakhon Saidakhbarov, an official of the Court's Chancellery, on 18 June refused to comment on either court's multiple illegal actions or put Forum 18 through to Judge Jurayev. "If you want an explanation you need to come to the Court" he claimed before putting the phone down.

Urgench: Illegal fine lowered, but illegal Bible destruction order unchanged

On 23 July 2017, Shakhzoda Rajabova, a Protestant from Urgench, was present when 25 police armed with automatic weapons raided a church meeting for worship in Pastor Nazarov's flat. All those present were arrested and taken to Urgench Police Station, where the women were strip searched (see F18News 7 August 2017 http://www.forum18.org/archive.php?article_id=2304).

On 18 December 2017 Rajabova was given a large fine for having Christian books, and texts including the Bible were ordered to be destroyed. She also had her mobile phone taken for the authorities to use themselves. Yet in a flagrant violation of Uzbek law neither Urgench Police who opened the case, nor the Court which heard it, had informed Rajabova that she was on trial. The first Rajabova heard of the case and punishments was 82 days later in 10 April 2018, when she received a copy of the court decision. The Judge refused to answer when Forum 18 asked him why the police and his court had broken the law, ordered a Bible and other texts to be destroyed, and taken Rajabova's mobile phone (see F18News 31 May 2018 http://www.forum18.org/archive.php?article_id=2383).

On 6 June 2018, Judge Zhamilya Sultanova, Chair of Khorezm Regional Administrative Court, lowered the fine from 80 times the minimum monthly wage to 5 times the minimum monthly wage, or 748,875 Soms. Despite the illegality of the original court hearing, Judge Sultanova did not rescind the order to confiscate and destroy Rajabova's Bible and other religious literature.

Judge Sultanova told Forum 18 on 18 June that she did nothing apart from lower the fine "because Rajabova has filed an appeal to the Supreme Court". The Judge put the phone down as soon as Forum 18 asked why Rajabova was fined for exercising her right to freedom of religion and belief by meeting other Protestants for worship, and why her Bible and other literature was ordered destroyed.

Women in Pastor Nazarov's church have been particularly targeted by the authorities, in addition to the original strip search by male officials with one female police officer (see F18News 31 May 2018 http://www.forum18.org/archive.php?article_id=2383).

No answers from new Religious Affairs Committee head

Jasur Akramov, the new Chair of the Religious Affairs Committee, has evaded answering Forum 18's questions about why people exercising their freedom of religion and belief continue to be jailed and fined, and also have their own religious literature confiscated and destroyed.

Ulugbek Jurayev, Akramov's Assistant, would not put Forum 18 through to Akramov on 18 June. Each time he was called back, Jurayev asked Forum 18 to call again in another hour. He refused to indicate when Akramov might be available for questioning.

Akramov's appointment as the new Religious Affairs Committee head was made public on 18 April. He replaced Artykbek Yusupov, who had headed the Committee since 2006. Akramov leads a team of 51 Committee officials, according to a 16 April Presidential Decree.

The Committee's main role is to stop people exercising their freedom of religion and belief (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Criminal prosecution follows Easter worship meeting?

By Mushfig Bayram, Forum 18

Forum 18 (24.05.2018) - <https://bit.ly/2xmpqlo> - *Police raided and threatened Urgench Baptists with criminal prosecution for meeting at Easter. SSS secret police and ordinary police raided Mubarek Baptists' worship, an illegal court fining two. In Karshi police targeted hearing and speech impaired Baptists. A Samarkand Jehovah's Witness was fined when enquiring about state registration.*

Uzbek police have threatened members of a Baptist Church in Urgench [Urgench] in the north-western Khorezm Region with criminal prosecution. The threats followed raids by officers of the police Department for the Struggle with Extremism and Terrorism on successive Sundays in April on the Church's Sunday meetings for worship. The first raid was on the day the Church celebrated Easter.

On 8 April police disrupted the Baptists' shared meal to celebrate Easter. During the 15 April raid, officers confiscated Christian books and materials, detained and brought some

church members to a police station, questioned them, and warned them that a criminal case would be opened against them (see below).

On 15 April the State Security Service (SSS) secret police and ordinary police raided the Sunday meeting for worship of a Baptist Church in Mubarek in the southern Kashkadarya Region. Police filmed and questioned church members, and illegally confiscated religious literature without a warrant. A court later fined two church members without any proper hearing or due process, including one Baptist who complained about the police's illegal actions (see below).

Similarly, on 6 May police in Karshi [Qarshi] in Kashkadarya Region broke into the home of a Baptist, Viktor Tashpulatov, where the Baptist Church was holding its Sunday worship meeting. Police targeted two hearing and speech impaired Church members, apparently to pressure them into incriminating themselves and others (see below).

Congregations of the Baptist Council of Churches meet for worship without seeking state permission, as is their right under international human rights law. But Uzbekistan, against its international human rights obligations, bans any collective exercise of the freedom of religion and belief without state permission (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

The authorities have also continued to raid and fine communities such as the Jehovah's Witnesses. When a Jehovah's Witness in Samarkand, in the centre of the country, went to their local mahalla (state district administrative committee) to enquire about registering a Jehovah's Witness community, the mahalla called the police. Police then confiscated his mobile phone, and he was subsequently fined twice the minimum monthly salary for having Jehovah's Witness publications on his mobile phone (see below).

Jehovah's Witnesses think that the police tortured Anvar Tajiyev in Urgench because their local community had between January and March 2017 unsuccessfully asked for state registration (see F18News 1 May 2018 http://www.forum18.org/archive.php?article_id=2374).

The authorities have allowed Jehovah's Witnesses to register only one congregation in the country, in Chirchik in Tashkent Region. All other congregations risk raids and fines for meeting for worship without state permission (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Urgench: Easter 8 April celebration raided

On 8 April, Easter Sunday, Urgench Police's Department for the Struggle with Extremism and Terrorism raided the flat of a Baptist, Stanislav Kim, where the local Baptist Church was meeting to celebrate Easter. "At around 11 am Struggle with Extremism and Terrorism Department officers knocked on our door," Kim told Forum 18 on 15 May. "We agreed that only one officer could come in, to see that we are peacefully worshipping."

The police officer refused to identify himself and "after sitting down in a chair demanded that the worshippers come up to him one by one so he could write down their names". He left and then promised that police would come back in one hour.

As soon as the Baptists finished the worship and began to eat a meal together in celebration of Easter, "a group of police officers broke into the house, and began to force the participants out of the house onto the street to take down their names." The police refused to give their names to the Baptists and then left.

The authorities have frequently raided, prosecuted, and fined Baptists in Urgench for exercising their right to freedom of religion and belief – including staging a "show trial"

for state TV (see eg. F18News 19 March 2018 http://www.forum18.org/archive.php?article_id=2361).

Kim told Forum 18 that Major Khamro Masimov, Chief of Urgench Police's Department for the Struggle with Extremism and Terrorism, did not participate in the 8 April raid but his officers did.

Asked why police raided the Easter celebration, and why the authorities keep raiding and prosecuting the Baptists, Major Masimov claimed to Forum 18 on 15 May that "we are not doing anything unlawful. Our Religion Law demands that all exercise of freedom of religion and belief must be registered, and so we must carry on controlling all exercise of this freedom."

Major Masimov has recently refused, against Uzbekistan's international human rights obligations, to arrest or investigate his subordinates who tortured a Jehovah's Witness in October 2017. Hospitals refused for fear of the police to treat Anvar Tajiyev who lost his hearing in one ear and still suffers headaches. Many complaints to President Shavkat Mirziyoyev, national and local Prosecutor's Offices have led to no arrests or prosecutions. Masimov of the police Department for the Struggle with Extremism and Terrorism claimed to Forum 18 that "our officers did not violate the law" (see F18News 1 May 2018 http://www.forum18.org/archive.php?article_id=2374).

When Forum 18 pointed out that the Baptists are exercising their fundamental human rights, which are also guaranteed by the Constitution, Major Masimov replied: "Please tell this to our Parliament. We do not decide which laws there should be. We are only responsible for making sure that the laws are observed."

Urgench: 15 April raid and criminal prosecution threat

Seven officers of Urgench Police Department for the Struggle with Extremism and Terrorism, led by Major Masimov and his deputy Captain Mukhammad Rakhimov, once again on 15 April raided Kim's home while Baptists were meeting for Sunday worship. One of the officers filmed everyone present.

"Officers conducted an unauthorised search, and confiscated a Bible and Children's Bible in Russian, a New Testament in Uzbek, a Bible commentary book, a Baptist song book, 12 copies of 'Herald of Truth' Baptist magazine, 30 Baptist post-cards, and a personal diary," Kim told Forum 18.

"Police ignored our demands to show their identity documents and the legally-required warrant for the search", Kim told Forum 18.

Asked why they did not show their identity documents and the legally-required search warrant to the Baptists, Major Masimov replied that "if we did anything unlawful they can write a complaint to the authorities." He then refused to talk more to Forum 18.

All seven adult participants in the meeting were taken to Urgench Police Station for questioning. Major Masimov himself questioned Kim. Police demanded that we write statements and sign a police report", Kim told Forum 18.

"When we told the police that their actions are unlawful, and refused to sign any papers, the officers threatened that they may open a criminal case against us", he said. After two hours of questioning, police released the Baptists.

Kim told Forum 18 on 21 May that he thinks police may be preparing a case under Criminal Code Article 244-3 ("Illegal production, storage, import or distribution of religious literature" If there has been a previous Administrative Code conviction (as there

has been in Kim's case) the punishment is a fine of between 100 and 200 times the minimum monthly wage, or up to three years' corrective labour. Kim thinks that it's possible, as has happened in other cases, that the authorities may punish him with a short-term prison sentence (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

"The case is in Urgench Prosecutor's Office, and they are deciding whether to open an administrative or criminal case", Major Masimov told Forum 18 on 15 May. "It is an administrative violation, but because it is a repeated violation the Prosecutor's Office can decide to open a criminal case." He claimed that the Prosecutor's Office would make a decision "in two or three days", but refused to give Forum 18 more details.

On 22 May Kamol Almatov, Assistant to Urgench Prosecutor Javlan Davletov, refused to answer when asked about the possible prosecution and asked Forum 18 to call back the following day. On 23 May neither Almatov nor Davletov answered their phones.

As of 24 May Kim has had no information on whether he may be prosecuted, and if so on what charges.

Mubarek: Raid, arrest for complaining about police illegality

On 15 April the Sunday meeting for worship of a Council of Churches Baptist Church in Mubarek in Kashkadarya Region was raided, The raid involved State Security Service (SSS) secret police Major Ruzimurod Narboyev, Mubarek Police Criminal Investigation Department head Senior Lieutenant Khurshid Abdiyev, local mahalla committee Chair Kholmurod Nabiyeu, and four ordinary police officers.

The Church, which refuses to seek state registration as is its right under international human rights law, has often been raided and its members fined (see eg. F18News 11 July 2013 http://www.forum18.org/archive.php?article_id=1857).

"As soon as the officials arrived at the Church they began filming the worshippers without asking our permission," church member Vladimir Khanyukov told Forum 18 on 15 May. "They also without showing a search warrant confiscated our Christian literature."

Church member Vitaly Provodin called the Regional Police in Karshi to complain about the unlawful actions of the police, but very soon after the call the police arrested Provodin and took him for questioning to Mubarek Police Station. There, police tried to pressure him into registering the Church. They also told to after his release bring a copy of his passport and a testimonial from the local mahalla committee to the Police Station.

On 21 May mahalla Chair Nabiyeu and the police contradicted each other to Forum 18 as to who was responsible for the raid, Nabiyeu claiming that "I have nothing against Baptists" and that the raid was led by the SSS. He then refused to talk more. But Senior Lieutenant Abdiyev told Forum 18 that "I have a letter from the mahalla Committee informing us of the illegal activity of the Baptists and requesting us to check them."

Mahalla committees are a key element in the state's restrictions on freedom of religion and belief (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Anonymous Judge, illegal hearing, fines

Senior Lieutenant Abdiyev on 15 May summoned church members Khanyukov and Provodin to a hearing of Mubarek Administrative Court at a mahalla committee in a neighbouring District.

"The Judge did not introduce himself and directly began reading us his decision," Khanyukov told Forum 18. There was no kind of hearing or opportunity for the Baptists to defend themselves. He fined Khanyukov and Provodin five times the minimum monthly wage. "We have not yet been given a copy of the decision [which is an illegal action of the authorities], but we were charged with illegal religious meeting and having religious literature."

Unfair trials and flagrant violations of due process are common in Uzbekistan (see Forum 18's [Uzbekistan religious freedom survey](http://www.forum18.org/archive.php?article_id=2314) http://www.forum18.org/archive.php?article_id=2314).

Asked why the authorities keep raiding and fining Baptists and others in violation of Uzbekistan's international human rights obligations, Senior Lieutenant Abdiyev replied: "It's your opinion that we violate the laws. It is the Baptists who violate our Religion Law." Asked what will happen if the Baptists continue to exercise their right under international law not to register their Church, Abdiyev replied: "We will give them new fines".

Karshi: Police raid worship meeting

On 6 May police in Karshi broke into the home of Viktor Tashpulatov where his Baptist Council of Churches Church was meeting for Sunday worship. Major Firdavs Khamroyev from Karshi Police's Department for the Struggle with Extremism and Terrorism led six officers from Kashkadarya Regional Police in the raid. The Church, which refuses to seek state registration as is its right under international human rights law, has often been raided (including by Major Khamroyev) and its members fined (see eg. F18News 7 August 2017 http://www.forum18.org/archive.php?article_id=2304).

"Police banged on our doors when we were holding our worship service, and immediately they entered officers began filming the worshippers without asking permission", Tashpulatov told Forum 18 on 21 May. Police wrote down the names of about 50 participants, including children, but despite pressure "none of us wrote statements or signed the police report." As police left they threatened "wait for the court to summon you", but there has not been any summons.

Asked about the raid on 22 May, Major Khamroyev claimed to Forum 18 that "it's a wrong number".

Hearing and speech impaired persons targeted

Officer Jamol Sharopov from the police Department for the Struggle with Extremism and Terrorism on 20 May told Tashpulatov to bring two speech and hearing impaired Church members to police for questioning. "I told him that it is his duty to do so and not mine", Tashpulatov told Forum 18.

Tashpulatov suspects that the police want to pressure the two Church members to write statements incriminating themselves and other Church members.

Officer Sharopov claimed to Forum 18 on 23 May that "I am not involved in that case." When asked why he called Tashpulatov asking him to bring his fellow church members for questioning, he claimed "It's a wrong number" and refused to talk more.

Raids, fines, punished for enquiring about state registration

In April and May, the authorities raided Jehovah's Witness worship meetings in homes in Samarkand and Fergana [Farghona], and twice raided a home in Karshi. The authorities also raided Jehovah's Witnesses homes for religious literature in Urgench and in the Yangiyul

District of Tashkent Region. After the Yangiyul search a court fined two members of the local community five times the minimum monthly wage each under Administrative Code Article 184-2 ("Illegal production, storage, or import into Uzbekistan, with the intent to distribute or actual distribution, of religious materials by physical persons"). Such fines are common (see eg. F18News 6 April 2018 http://www.forum18.org/archive.php?article_id=2367).

When a Jehovah's Witness in Samarkand, in the centre of the country, went to their local mahalla (state district administrative committee) to enquire about registering a Jehovah's Witness community, the mahalla called the police. Mahalla committees are a key element in the state's restrictions on freedom of religion and belief, including via their role in approving registration applications (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

When police arrived at the mahalla they immediately confiscated the Jehovah's Witnesses mobile phone, and he was subsequently fined twice the minimum monthly salary for having Jehovah's Witness publications on the phone.

This is not the only punishment possible for seeking state registration. Jehovah's Witnesses think that the police tortured Anvar Tajiyev in Urgench because their local community had between January and March 2017 unsuccessfully asked for state registration (see F18News 1 May 2018 http://www.forum18.org/archive.php?article_id=2374).

The authorities have allowed Jehovah's Witnesses to register only one congregation in the country, in Chirchik in Tashkent Region. All other congregations risk raids and fines for meeting for worship without state permission (see Forum 18's Uzbekistan religious freedom survey http://www.forum18.org/archive.php?article_id=2314).

Uzbekistan, a country of particular concern, according to the US

HRWF (09.02.2018) - In accordance with the International Religious Freedom Act of 1998, the Secretary of State annually designates governments that have engaged in or tolerated systematic, ongoing, and egregious violations of religious freedom as "Countries of Particular Concern". Uzbekistan was re-designated as one of them, along with Burma, China, Eritrea, Iran, North Korea, Sudan, Saudi Arabia, Tajikistan, Turkmenistan, and Uzbekistan as Countries of Particular Concern. The Secretary of State also placed Pakistan on a Special Watch List for severe violations of religious freedom. The Spiritual Directorate of Muslims of Uzbekistan protested.

At the onset of this year, Uzbekistan is known to keep many Muslims in jail, as the 2018 Database of FORB Prisoners of *Human Rights Without Frontiers* clearly shows (<http://hrwf.eu/wp-content/uploads/2018/02/Uzbekistan-FBL-2018.pdf>).

Uzbekistan, like other Central Asian countries, is vulnerable to the influence of an Islam imported by missionaries from the Arabic Peninsula and is beginning to try to preserve its historical Muslim identity by developing education in Islamic Studies, domestic training of Uzbek theologians and religious education of young people.

Uzbekistan opens Islamic Studies Academy

Eurasianet (19.01.2018) - <https://eurasianet.org/s/uzbekistan-opens-islamic-studies-academy> - The first specialized academy of higher learning in Uzbekistan devoted exclusively to Islamic studies has been registered by the Justice Ministry in seemingly more evidence of a growing embrace of religious values.

The government's religious affairs committee reported on its website on January 17 that the Justice Ministry officials formally handed credentials to the chairman of the state-sanctioned Spiritual Directorate of Muslims of Uzbekistan, grand mufti Usmankhan Alimov, and the rector of what is to be dubbed the Islamic Academy, Nematulla Ibragimov.

President Shavkat Mirziyoyev in mid-December signed off on the legislation required for the creation of the academy, which is being founded under the auspices of the Spiritual Directorate of Muslims of Uzbekistan.

Ibragimov's background is Arabic studies. He has formerly worked at the Tashkent State Institute of Oriental Studies.

The Islamic Academy will offer two-year undergraduate degrees and three-year doctoral courses. Uzbek citizens and foreigners alike can apply. The main disciplines will be Koranic studies, Islamic law, study of the hadiths — the words and actions of the Prophet Muhammed — and the interpretation of Islamic texts.

The academy has already enrolled 16 undergraduates for its 2018-2019 academic year. Ravshan Nazarov, a historian, said he believes that Uzbekistan is sorely lacking in well-trained theologians and that the Islamic Academy would provide a timely remedy.

The fulsome praise coming the religious affairs committee, which has described the academy as a "great gift for believers in our country," suggests that instruction will be hewing very closely to the state-mandated orthodoxy, however.

Yakub Bukharbayev, an imam and a teacher at the Islamic Institute in Tashkent, one of two institutions in Uzbekistan authorized to train clerics, said that the country's archives contain tens of thousands of Islamic manuscripts that need to be studied. Graduates of the Islamic Academy can be enlisted into pursuing that goal, he said.

"Before in Uzbekistan we didn't even offer scientific degrees in Islamic studies. We have a native of Bukhara, [9th century Islamic scholar] Imam al-Bukhari, who is the author of hadiths. And we have the works of another great fellow countryman, a scholar of the hadiths and Islamic jurist, Imam at-Termezi, who has also not been sufficiently studied," Bukharbayev said.

Islamic education is, after many years of neglect under the late President Islam Karimov, who regarded devout Muslims with intense suspicion, beginning to earn more attention from the Uzbek authorities.

In May, the country's oldest madrassa, the 16th century Mir-i Arab in Bukhara, was upgraded to a higher education institution — from a college for upper secondary education — becoming the second establishment of its type in Uzbekistan, along with the Islamic Institute in Tashkent.

Mir-i Arab was the only madrassa allowed to operate in Soviet times and turned out many students who would go on to become major figures in their own regions. They included the chairman of the Council of muftis of Russia, Ravil Gainutdin, the Grand Mufti of the Caucasus, Allahshukur Pashazadeh, and even the former head of the Chechen Republic, Ahmad Kadyrov, father of the current incumbent, Ramzan Kadyrov.

In addition to the two institutions of Islamic higher learning, Uzbekistan has nine Islamic high schools, which caters to students in their late teens.

There is also the Tashkent Islamic University, which was founded in 1999 as the first specifically Islamic university in Central Asia. That university is not exclusively focused on religious studies, however, and provides courses on secular subjects, including natural sciences and economics.

Directorate of Muslims of Uzbekistan disagrees with U.S. State Dept analysis of religious freedom in republic

Interfax (15.01.2018) - <http://www.interfax-religion.com/?act=news&div=14176> - United States Department of State's inclusion of Uzbekistan in the list of countries where violations of freedom of religion occur is based on biased information and old stereotypes, the Directorate of Muslims of Uzbekistan said.

The State Department announced on January 4 that Uzbekistan is among the countries where "egregious violations of religious freedom" occur.

"The U.S. Department of State report on Uzbekistan is definitely based on biased information, and it contradicts the real situation," the Directorate of Muslims of Uzbekistan said in a statement released on Monday.

Serious changes occurred in Uzbekistan's religious affairs in 2017, the statement said. "A lot of work was done to resolve the accumulated problems. The president did a lot of work to maintain Islamic values, promote religious education, and spread our religion," the directorate said.

The Center for Islamic Civilizations and international research centers named after Imam Buhari and Imam Tirmidhi were created in the country, the directorate said. The number of Islamic educational establishments reached 11. A higher religious school was created in Bukhara. A three-year special extramural department was opened at the Tashkent Islamic Institute, Koran study groups formed, and the quotas for Muslim educational establishments were increased by 150%.

According to the Directorate of Muslims of Uzbekistan, 55 mosques were renovated, and 15 new mosques were built. The hadj pilgrim quota was increased from 5,200 to 7,200, and the quota for umrah (small pilgrimage) was increased from 6,000 to 10,000.

On the president's initiative, over 16,000 people were removed from lists of members of various marginal religious groups in 2017, the directorate said.

"Much was done to study the problems and goals of these citizens, to prevent discrimination against them, to provide them with comprehensive support and help them return to life in society," it said.

According to official information, 94% of Uzbekistan's population is Muslim, 3.5% of its citizens are Orthodox Christians, and the rest belong to other religions.

Over 2,220 religious organizations of 16 religions are registered in the country, including more than 2,000 Muslim and 157 Christian organizations, eight Jewish communities, six Baha'i communities, a Society for Krishna Consciousness, a Buddhist temple, and an interreligious Bible Society.

FORB Prisoners Database of Human Rights Without Frontiers

In its 2018 Database of FORB Prisoners, *Human Rights Without Frontiers* is documenting 38 cases of Sunni Muslims, 4 Sufi leaders and 2 Said Nursi followers currently in prison, according to various sources such as Forum18, ECOI, Refworld and Worldwide Religious News.

Sunni Muslims have been accused of alleged separatism, extremism, planning to overthrow the government and/or belonging to a banned Islamist movement. They are not known to have committed acts of violence.

Followers of the Turkish theologian Said Nursi, who lived and died in the 19th - 20th century, were also imprisoned on the alleged ground that Nursi's works are banned for allegedly inciting hatred and enmity against non-believers, which is not the case.

The four Sufi leaders [arrested in 2016](#) were sentenced to prison terms because their religious group has not been registered by the state and is therefore deemed illegal.

No Christian (Orthodox, Protestant or Catholic) and no Jehovah's Witnesses were in prison at the beginning of this year (<http://hrwf.eu/wp-content/uploads/2018/02/Uzbekistan-FBL-2018.pdf>).
