

Charges Mount Against Uzbekistan House Church Leader

Held in a Kazakhstan jail for preaching outside state regulation and facing extradition for his Christian beliefs, Makset Djabbarbergenov is now seeking asylum.

The legal ground continues to shift underneath Makset Djabbarbergenov, a house-church leader being held in a Kazakhstan jail at the request of his native Uzbekistan.

Djabbarbergenov was arrested Sept. 5 in Almaty, Kazakhstan. Uzbekistan wants him back to face charges that he practiced religion outside state regulation. His fate could be decided at a court hearing scheduled for Monday.

During his detention in an Almaty jail, Djabbarbergenov has discovered that Uzbekistan has increased the severity of charges against him, and that the Kazakhstan Supreme Court claims to have no record of the appeal he thought he had filed in hopes of obtaining refugee status for him and his family.

He, his wife, Aigul, and four boys await the Nov. 5 court hearing. Having fled Uzbekistan in search of asylum, Aigul has no legal standing in Kazakhstan and has been denied access to her jailed husband.

The Norwegian religious-freedom watchdog agency Forum 18 has followed Djabbarbergenov's case closely. Based on interviews with Kazakh prosecutors and court officials, and examination of government documents, Forum 18 reported on Oct. 29 that:

- At a hearing Oct. 15 – the last day of Djabbarbergenov's 40-day detention approved by the court following his September arrest—the judge extended his detention to

Nov. 5. The court's reasons: Uzbekistan's general prosecutor had not yet delivered necessary extradition documents to Kazakhstan; and the Uzbek allegations against Djabbarbergenov would, if enforced under Kazakhstan's laws, meet the definition of advocating terrorism.

- The Uzbekistan extradition papers still had not arrived as of Oct. 29.
- At the same Oct. 15 hearing, one of the original Uzbekistan charges against Djabbarbergenov no longer was part of the record: a charge of storing and distributing religious literature that carries a 3-year maximum prison sentence. In its place appeared a more serious charge of leading a "religious extremist" group, which carries a 5- to 15-year sentence.
- A spokesperson for the Kazakhstan Supreme Court said it had no record of Djabbarbergenov's appeal of a lower court ruling that denied his application for asylum for him and his family.

Born in Uzbekistan in the small town of Symbai, Djabbarbergenov became a Christian in 2000 and soon became an active church leader in Nukus, the capital of Karakalpakstan, the autonomous republic of Uzbekistan. At present, no Protestant church in Karakalpakstan has an official registration: they are considered illegal.

Djabbarbergenov was hauled into court six times. Police raided the family's apartment in August 2007, prompting Djabbarbergenov and his family to flee to Tashkent, the Uzbek capital. He crossed into Kazakhstan the following month, his family followed a few months later.

Their time since has been spent seeking asylum in Kazakhstan. Though the Office of the United Nations High Commissioner for Refugees determined the family to be refugees who would face prosecution in Uzbekistan because of their Christian faith, the Kazakh government disagreed and has ruled against

Djabbarbergenov at several turns. The Kazakhstan International Bureau of Human Rights and the Rule of Law told Forum 18 that it had filed Djabbarbergenov's appeal to the Supreme Court in August.

"We can't understand why they cannot find it," Forum 18 quoted the bureau's Denis Dzhigava as saying. "It seems the application has been lost."

In the meantime, Djabbarbergenov's family waits.

"I and our older children are praying for Makset. We all miss him very much," Aigul told Open Doors. "But pray that we can follow God and He'll lead us to be where He wants us to be. We want Him to solve and resolve the situation and tell us what to do."

She said the church would be troubled if Makset is sent back to Uzbekistan. Yet, she said, "in the church people are also united. They feel they are very close to each other. They are one. They began to pray often. They fast often. And I felt that unity. I found that Christian love."

Uzbekistan is ranked No. 7 on the World Watch List of the 50 countries where it is most difficult to be a Christian. "Christians are fined or given short-term prison sentences. When brought to court, fair treatment is not ensured," according to the World Watch List.

The U.S. State Department has designated Uzbekistan as a "country of particular concern," acting on the recommendation of the U.S. Commission on International Religious Freedom.

"The Uzbek government violates the full range of human rights and harshly penalizes individuals for independent religious activity regardless of their religious affiliation," including Muslims, the Commission declared in its 2012 annual report.