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## **Why should one small village have three mosques?**

By Mushfig Bayram

Forum 18 (12.12.2010) / HRWF Int. (13.12.2010) – Of about 1,700 Tajik students studying Islam abroad, all of whom have been called upon by President Emomali Rahmon and Tajikistan's Government to come home, 719 have already returned in recent months, one official told Forum 18 News Service from the capital Dushanbe. Meanwhile, authorities of the Mountainous Badakhshan Autonomous Region in eastern Tajikistan have halted the activity of the region's 32 unregistered Sunni mosques. A regional religious affairs official questioned why one small village should have three mosques. Also halting unregistered Friday prayers in their offices in Dushanbe under pressure from the Justice Ministry was Tajikistan's Islamic Renaissance Party, Central Asia's only registered Islamic political party.

From the time the controversial 2009 Religion Law came into force, officials have been insistent that they would stop all unregistered religious activity – without any exceptions - and were imposing extra-legal controls on the religious communities they registered.

### **Conflicting claims**

Tajik officials have made conflicting claims on why the students have returned from Islamic studies abroad. Religious Affairs officials told Forum 18 that because of what they claim is the risk of these students being prepared as future terrorists, the Tajik authorities warned the families of the students and the governments of the countries where the students studied to return them. At the same time, some Tajik diplomats abroad claimed to news agencies that the students returned voluntarily.

The campaign to bring back students studying religion abroad was launched by President Rahmon in August.

Parents and students were afraid to speak to Forum 18 about the issue for fear of the authorities. Only a few unnamed students and parents complained to some Tajikistan-based news agencies that the students studied Koran and were forced to return to Tajikistan.

While some of those studying Islam abroad were children, some as young as 6, Forum 18 understands that the vast majority were adults, some as old as 31. Religious Affairs officials refused to tell Forum 18 what the proportions of adult and child students were. "I have observed that the proportion of children among the returning students would be up to 10 percent," a local independent journalist wishing to remain unnamed told Forum 18 on 2 December.

Tajikistan's authorities have also recently focused on imposing tighter control on Islamic education inside the country, with a nationwide operation which involved police raids on the homes of Muslims privately teaching children the Koran. Administrative and criminal cases were opened against private Muslim teachers and parents who "do not allow" their children to go to school.

Tajik state television also on 19 November reported that prosecution bodies investigated many cases of attracting children between 7 and 18 to religious education across Tajikistan without their parents' consent.

### **Why were students ordered to return?**

Jumokhon Giyosov, Deputy Chair of the Government's Religious Affairs Committee in Dushanbe, told Forum 18 on 1 December that the government's instruction to return roughly 1,700 Tajik students from abroad deals only with those studying religion in Islamic countries. He said that 719 students had returned by that date. Asked why the students were ordered to return, he responded: "We need to bring order to the process of going abroad to study religion. We need to know who invites these students, who studies where and what, and so on."

Asked where these students would now continue their studies, Giyosov said, "We have the Islamic University, other higher education institutions and medresses [Islamic colleges] where they can learn the fundamentals of Islam." Told about the earlier complaints of lack of medresses, he said, "We have enough Islamic schools in Tajikistan for them to enrol in."

When Forum 18 asked why the authorities claimed that Tajik students were trained as terrorists abroad, Giyosov said, "We, for instance, are not against students attending Al-Azhar University in Cairo, where more than 900 Tajik students study." He would not say which schools the government was against. "The right order of things is that the University should give us their quota and then we interview the candidates and decide who to send."

Giyosov rejected suggestions that the order for students to return to Tajikistan violated their right to gain religious education of their choice. "We are just trying to bring some order to this sphere," he repeated to Forum 18.

### **Did the students return voluntarily?**

Giyosov also told Forum 18 that the Tajik government has verbally agreed with the Egyptian authorities that if by the end of the year the remaining Tajik students do not return, the Egyptian authorities should deport them. He said there has been no such

agreement with the authorities of Iran, Pakistan or Saudi Arabia. Asked what measures the Tajik authorities will take against those students who insist on staying back or go abroad to study religion privately, he claimed: "There will be no serious measures."

However, Tajik diplomats in Pakistan and Egypt told RFE/RL's Tajik Service, as the agency reported on 10 November, that hundreds of Tajik students have "voluntarily" abandoned their studies at religious schools in those countries and returned home. Muhammadi Muzaffarov, Tajik Consul in Egypt, similarly told the agency that more than 130 students returned home from Egypt of their own volition.

But at Dushanbe airport, a man who gave his name as Salmon, and who was waiting for his grandson to return from Egypt, reportedly said that the Tajik authorities pressured them to persuade their children or grandchildren to return home. Salmon added that his grandson was a student at one of the schools of Al-Azhar Islamic University, but had been pressured to abandon his studies.

A few unnamed students also said that they were forced to return, and would like to go back to Egypt at the first opportunity to continue their studies, ferghana.ru reported on 9 November.

However, Khusravbek Rakamov, Deputy Head of Badakhshan Regional Administration's Religious Affairs Division, said that 20 students from the region study Islam in Iran's medresses. "None of them have come back yet but we have spoken with their parents and explained that there is a danger that under the guise of religious education their children may be trained to become terrorists," he told Forum 18 on 29 November from the regional capital Khorugh. Rakamov could not explain to Forum 18 in which schools they trained as terrorists.

The state commission that checked up on mosques in Badakhshan's Darwaz district distributed to attendees 400 CDs of a documentary prepared by state television, the Regnum.ru news agency reported on 19 November. The documentary tells how Tajik youth attending medresses in Islamic countries abroad were being prepared as future terrorists.

### **Muslim unregistered activity in Badakhshan halted**

Badakhshan regional authorities in early November checked up on the activities of 32 unregistered mosques, and gave them ten days to submit documents for registration or else stop their activity. Local Muslims and officials told Forum 18 that all the mosques, located in the west of the mountainous region, are Sunni. All have been forced to halt worship.

Most of Badakhshan's Muslim population are Ismailis, who belong to a branch of Shia Islam under the authority of the Aga Khan. Ismailis have told Forum 18 that while they generally do not pray in mosques but in private homes, which do not register with the authorities, they have not faced official harassment.

Rakamov of Badakhshan Regional Administration's Religious Affairs Division said that the check-ups revealed that 28 mosques in Darwaz district and four mosques in Vanj district were operating without state registration. "We gave them a warning to submit their documents by 20 November for registration," he told Forum 18.

He said that only 10 of those mosques from Darwaz district submitted registration applications by the deadline, and that the documents have already been sent to the Government's Religious Affairs Committee in Dushanbe. Nazira Dodikhudayeva of the Committee in Dushanbe told Forum 18 on 1 December that it has not yet received the documents.

## **Why cannot Muslims meet in public places for worship?**

Asked why local Muslims cannot meet for worship publicly in places of their choice, Rakamov said that many of the remaining 22 unregistered mosques are "old stores or car repair shops, which do not look good, and are not clean places". He also argued that "why for instance should there be three mosques in Zing village of Darwaz – a small village where only 600 people live?" Rakamov said that the authorities asked the residents of Zing village to use one mosque.

Asked if this did not violate local people's religious freedoms, Rakamov said that they "should first collect documents in the order established by law and then show that they are financially able to build an appropriate mosque".

Dodikhudayeva of the Religious Affairs Committee in Dushanbe was unable to explain to Forum 18 why Muslims cannot meet for prayers in places they choose if they do not have the means to build mosques.

Asked what further measures would be taken by the regional authorities against the remaining 22 mosques if they continued unregistered activity, Rakamov claimed that all those communities "agreed with us to discontinue their activity". When Forum 18 insisted with the question, he said the authorities would deal with those communities "strictly according to the Law", but did not explain what this meant.

Likewise Dodikhudayeva said that if in future any of these communities continue unregistered activity, they would be punished. She did not specify what these punishments would be.

Sardorbek Azorabekov, Badakhshan Region's official religious affairs expert, told the Russian news agency Regnum.ru on 19 November that local people could attend the central mosque in Darwaz district until they could register their mosques. Local Muslims told the news agency that they were not happy with the official decision, since the majority of the mountain villages are at least 50 kms (35 miles) from Darwaz, the district centre. They pointed out that especially in the winter, they could not travel so often to the central mosque.

## **IRP warned by Justice Ministry to stop prayers**

The Islamic Renaissance Party (IRP) has reluctantly bowed to government pressure to stop holding Friday prayers in the Party headquarters in Dushanbe. Shamsiddin Saidov, Chief of Administration of the IRP, said that they held their last assembly for Friday prayers on 26 November.

"We received a warning letter from the Justice Ministry dated 23 November to stop prayers in the Party premises within 10 days," he told Forum 18 on 1 December. "Otherwise, the letter said, the Ministry would take a legal action against the Party in the Supreme Court under the Law on Political Parties to strip our registration."

IRP members were ordered to stop unregistered prayers in the party headquarters during a police raid in October, and party member Imam Zuboidullo Rozikov was later fined for leading unauthorised Friday prayers and sermons in the party headquarters. An unexplained fire destroyed the IRP's cultural centre in Dushanbe which was used as a mosque for women.

The Party leadership decided in the near future to ask the Constitutional Court to rule on the constitutionality of the Religion Law, since each citizen of Tajikistan has the right to freely assemble and worship, Saidov added.

## **What will happen to non-Muslim unregistered activity?**

Asked how many non-Muslim organisations are still awaiting registration, Dodikhudayeva of the Religious Affairs Committee in Dushanbe told Forum 18, "practically all the existing ones were re-registered". Asked about the continuing nationwide ban on the Jehovah's Witnesses, she said that only the courts could decide whether they will ever be able to regain their registration and expressed doubts that the community will be able to regain its registration. "They repeatedly violated the laws in the past," she claimed, without specifying which laws.

Since being banned in October 2007, Jehovah's Witnesses have tried unsuccessfully to have the ban overturned through the courts. They have faced raids and threats of prosecutions by the police and National Security Committee (NSC) secret police.

Dodikhudayeva also insisted to Forum 18 that the Baptist Union headed by Alexandr Werwai will not be given registration since "there is already one registered" Baptist Union. "According to the new Religion Law we cannot register more than one central body for the same denomination," she claimed.

Officials re-registered the separate Association of Evangelical Christians-Baptists headed by Igor Samiyev and rejected the application by the Baptist Union Werwai leads.

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## **Authorities targeting IRP and Jehovah's Witness unregistered worship**

By Mushfig Bayram,

Forum 18 (15.11.2010) / HRWF Int. (24.11.2010) – Website: <http://www.hrwf.net> - Tajikistan is concentrating on trying to stop unregistered prayers under the auspices of the Islamic Renaissance Party (IRP), Central Asia's only legal religious-based political party, and the Jehovah's Witnesses, Forum 18 News Service has found. Other groups of Muslim and non-Muslim religious believers do not appear to be currently facing state obstructions to their meeting for worship – despite all unregistered religious activity being illegal under Tajikistan's controversial 2009 Religion Law. The authorities have refused to discuss this anomaly with Forum 18.

From the time the 2009 Religion Law came into force, officials have been insistent that they would stop all unregistered religious activity – without any exceptions - and were imposing extra-legal controls on the religious communities they registered. The registration process has continued, but the authorities appear to have currently ceased – at least temporarily – trying to stop unregistered activity, with the exceptions of the banned Jehovah's Witness community and the Islamic Revival Party.

IRP members have been ordered to stop unregistered prayers in the party headquarters, and party member Imam Zuboidullo Rozikov has been fined for leading unauthorised Friday prayers and sermons in the party headquarters. A fire has destroyed the IRP's cultural centre in the capital Dushanbe which was used as a mosque for women. Party members have told Forum 18 that they think this was arson, but the authorities have claimed to Forum 18 that the fire was the IRP's fault.

## **Islamic public activity and ideas targeted**

Islamic public activity outside state control has come under increasing pressure in recent months. The authorities chose the start of Ramadan to ban the use of loudspeakers to

broadcast Muslim prayers, and also have reaffirmed a 2009 ban on children taking part in the haj pilgrimage to Mecca. At the same time the authorities ordered IRP members to stop praying in the party headquarters. The authorities are also targeting all forms of Islamic religious education outside state control, President Emomali Rahmon claiming that otherwise "your children will become extremists and terrorists".

Tajikistan has also prosecuted and jailed religious believers for their ideas, not their actions, 92 followers of the banned Jamaat Tabligh Muslim religious movement have been punished with lengthy prison sentences and huge fines.

### **The fine**

Judge M. Sodirova of Dushanbe's Firdavsi District Court on 1 November fined Imam Rozikov 245 Somonis (330 Norwegian Kroner, 40 Euros, or 55 US Dollars) under Tajikistan's Administrative Code's article 474 part 1 ("violating the Religion Law"). He was specifically charged with leading unauthorised prayers and sermons in the IRP building.

The Administrative Code's Article 474 part 1 punishes carrying out religious activity without state registration; violation of the order established in the law for organising and holding religious ceremonies; teaching religious doctrines without authorisation; and holding prayers, religious rites, rituals and ceremonies in places not established by law. The Religion Law imposes numerous restrictions on freedom of religions or belief – breaking Tajikistan's human rights obligations – including severely restricting where Muslims can preach and worship.

Imam Rozikov said that he did not even want to hire a defence lawyer, and defended himself before the court. He told Forum 18 on 8 November that he told the court that "we have rights given by Tajikistan's Constitution to assemble for prayers" with their co-believers. "The Judge did not argue with me on this point but kept saying that I have violated the Religion Law," the Imam stated.

Telephones at Firdavsi District Prosecutor's Office went unanswered on 9 November. Judge Sodirova of the District Court on 9 November said that she has no time to explain her decision since she was going to a meeting. "Everything is written in the decision," she told Forum 18 before putting the phone down.

Mavlon Mukhtarov, Deputy Chair of the government's Religious Affairs Committee, which reports direct to President Rahmon, did not want to comment on the fine. "I just came back from Mecca," he told Forum 18 from Dushanbe on 9 November, "and I need to find out about the court case."

Imam Rozikov said that he is not going to appeal because "it is of no use, and I know that both the appeal court and Supreme Court will uphold the decision." He said that this was the view of defence lawyers with whom he had discussed the case. He said he was going to pay the fine since he has "no time or nerves to waste" in courts. He also said that to avoid a repeat punishment from the authorities, which "could be harsher", he will no longer lead the prayers. However other people will take turns to lead them.

### **The raid**

Ten days prior to the Imam Rozikov's trial on 22 October, Firdavsi District Prosecutor's Office, the police, and the Religious Affairs Committee raided the IRP's headquarters while party members were holding Friday prayers.

Imam Rozikov told Forum 18 that around 2,000 people were present. He said that the officials waited until the prayer was finished, and then "kept myself and some Party

leaders and those who were selling religious books and disks for questioning" The imam said this took more than two hours, and that they were warned to stop holding prayers in the party building before being released.

Imam Rozikov said that sermons stick to Koran and Islamic tradition, and say nothing of a political nature.

### **Why?**

Asked why the authorities were against IRP members praying in their party headquarters, Mukhtarov of the Religious Affairs Committee said that organised prayers "must be held in officially registered places." He then asked Forum 18, "Why don't they attend any mosque or cathedral mosque [the only mosques where the state allows sermons] for prayers?"

"We cannot leave our working place during the work hours on Fridays and go to other mosques, and also cannot tell others who join us for prayers to leave the building", Imam Rozikov replied to this comment on 9 November to Forum 18.

Asked why those who join the IRP for prayers do not go to Dushanbe mosques, the Imam said that: "They like our Friday sermons, and are not satisfied with what they hear in other mosques, where imams are unofficially appointed by the local executive authorities".

Mukhtarov of the Religious Affairs Committee refused to say what the further measures the authorities would take if IRP continued holding the prayers in the party headquarters. "They are educated people, and know the law," he replied.

### **The fire**

Around 100 Muslim women used to meet to in the IRP's cultural centre, before it was burned down on 23 October. IRP officials told Forum 18 that they think this is linked to official pressure to stop the IRP holding Friday prayers.

Major-General Mahmadsait Karimov, Chief of Dushanbe City Fire Brigade, told Forum 18 on 11 November that the official investigation concluded that the fire was the result of "electric heaters left in the building unattended".

Shamsiddin Saidov, Chief of the Administration of the IRP, on 11 November told Forum 18 that he thought the fire was arson. "I see no technical reasons for the fire, because where the fire started there were no electric appliances or wiring," he stressed. "It is suspicious that the building was burnt down on 23 October, the day after the authorities raided Friday prayers on 22 October."

### **"We live in uncertainty and fear, and cannot worship openly"**

The ban on Jehovah's Witnesses in Tajikistan continues, a Jehovah's Witness from the community told Forum 18 on 11 November. A criminal case opened against 17 Jehovah's Witnesses in Khujand is "hanging in the air", and the National Security Committee (NSC) secret police are "neither leading an investigation on it nor closing it down".

"Because all of this we live in uncertainty and fear, and cannot worship openly," the Jehovah's Witness lamented. Because of the ban fellow believers in Khujand are trying to survive on private jobs. "Our believers are known in the society and they are not employed in the public sector," the Jehovah's Witness said. Recently a member of their community working for a state school left his job, under the pressure of law-enforcement

agencies. The Jehovah's Witnesses do not want to discuss the details of this, due to fear of state reprisals.

Mukhtarov of the Religious Affairs Committee did not want to discuss anything to do with unregistered Muslim or non-Muslim religious activity on 15 November, asking Forum 18 to call back later. When Forum 18 called back, he repeatedly put the phone down.

Since being banned in October 2007 the Jehovah's Witnesses have faced raids and threats of prosecutions by the police and NSC secret police. Two Protestant communities in Dushanbe also had "temporary" bans imposed on them at that time. Abundant Life Christian Centre closed down after it was banned, while the other - Ehyo Church - was officially able to resume its activity in late 2008.

Of all the former Soviet states and unrecognised entities, only Tajikistan and the breakaway republic of Abkhazia on the Black Sea have specifically banned the Jehovah's Witnesses.

### **Ismaili mosques unregistered, but left alone**

An Ismaili imam from the south-eastern Badakhshan Region, who asked not to be named for the fear of the authorities, told Forum 18 on 15 November that he had not heard of the authorities recently causing problems for unregistered activity in the Region's mosques. Badakhshan is a home to the majority of Tajikistan's of Ismaili Muslims, which is within Shia Islam. The authorities have "not raised the issue of registration or re-registration actively" in the region. "We have for instance two mosques in Khorugh [the regional capital], and they continue activity with no registration," he said.

### **Is re-targeting of official efforts temporary or permanent?**

Some religious communities suspect that the current re-targeting of official efforts against unregistered activity away from them may be only temporary. A member of the capital Dushanbe's unregistered Baptist church told Forum 18 on 15 November that the ban on their church continues. The church belongs to the Council of Churches Baptists, which on principle refuses to seek state registration. It was banned for meeting for worship in a private home without state permission, in December 2009. Attempts to overturn the banning order have failed.

"We continue our worship, and normal activity despite the ban," the Baptist told Forum 18. Referring to the ban on all unregistered religious activity, the Baptist commented that "we will go on with our worship, and are ready for any punishment or consequences".

One of Tajikistan's two Baptist Unions, who do not work together, has been told to dissolve voluntarily. The Baptist Union chaired by Alexandr Werwai has previously been told by the authorities that it will not be registered, as the Association of Evangelical Christians-Baptists headed by Igor Samiyev. However the Religious Affairs Committee is now saying that the Baptist Union should now dissolve voluntarily and re-register as a new Union, Werwai told Forum 18 on 12 November. "We have re-registered six churches, and need to register five other unregistered churches, which belong to our Union, and then we will go ahead with the registration of the Union itself," he said. "We have not had any problems with our unregistered churches so far," he said.

Tajikistan's only synagogue has not been registered due to a dispute over who owns the building. The Jewish community's former synagogue was bulldozed by the authorities without paying compensation – which was paid by President Rahmon's brother-in-law instead. "But we can continue our prayers in this building," Rabbi Mikhail Abdurakhmanov told Forum 18 on 15 November.

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## **Officials choose Ramadan to impose controls**

By Mushfig Bayram and Felix Corley

Forum 18 (03.09.2010) / HRWF Int. (06.09.2010) – Website: <http://www.hrwf.net> - Just as the Muslim holy month of Ramadan was beginning in mid-August, the authorities in Tajikistan's capital Dushanbe ordered the Islamic Revival Party to stop holding prayers in their party headquarters, Forum 18 News Service has learnt. After discussion, officials agreed to allow them to continue, but only until the end of Ramadan. The authorities in a town in the northern Sughd Region also chose the start of Ramadan to ban Muslim prayers via loudspeakers. The government's Religious Affairs Committee – which controls the Muslim haj pilgrimage to Mecca – has reaffirmed for this year the ban on children taking part first imposed for the 2009 pilgrimage. Also it is not clear how the criminal case reopened in May against 17 Jehovah's Witnesses is developing.

Tajikistan has imposed ever-tighter controls on religious activity in recent years. Jehovah's Witness activity was banned entirely in 2007, while officials claim that the Muslim Jamaat Tabligh movement was banned in 2006 (the ban does not appear to have been published). In 2009 the Salafi school of Islamic thought was banned. A restrictive new Religion Law was adopted in 2009 involving new limits on the numbers of mosques and restrictions on preaching. The new Law required the re-registration of all religious communities amid tight new restrictions. Dozens of members or alleged members of various Muslim movements have been given long prison terms.

The latest moves come amid a crackdown on private teaching of Islam and government pressure on parents of students studying Islam abroad to bring them home. "Teaching religious knowledge without [state] authorisation" is an offence under Article 474 of the Code of Administrative Offences, and a number of such cases have been brought in recent months.

### **Islamic Revival Party told to stop prayers in their building**

Officials of the State Religious Affairs Committee have ordered the Islamic Revival Party (IRP) to stop praying at their Dushanbe headquarters. The order came during a 12 August visit to the party headquarters by Abdurahim Kholiqov, Chair of the Committee, with his officials, together with officials from the Justice Ministry and National Security Committee (NSC) secret police, the IRP's Hikmatullo Saifullozoda told Forum 18 on 19 August.

"We agreed that Party members would be allowed to carry on prayers during the holy month of Ramadan, and hold talks afterwards," he added. "We have a cultural centre at the headquarters, and hold prayers in that centre. We do not officially call it a mosque but do pray in it. However, the officials take a different view on this."

The visit came on the first full day of Ramadan. Forum 18 has been unable to find out what will happen when Ramadan ends on 9-10 September.

Mansur Sayfutdinov, Senior Advisor to President Emomali Rahmon, insisted to Forum 18 that according to the law no political organisation may establish a mosque. Asked that why the IRP members may not hold prayers in their office given that, according to Islamic canons, prayers do not have to be said in a mosque, Sayfutdinov referred Forum 18 to the Religious Affairs Committee.

Officials at the Religious Affairs Committee refused to discuss the issue with Forum 18.

### **Loudspeakers banned for Muslim call to prayer**

Just before Ramadan began, the authorities in Panjakent in Sughd Region prohibited Muslim prayers via loudspeakers. The authorities said that "it could cause confusion and disturbs the peace," RFE/RL's Tajik bureau reported on 10 August.

Presidential Advisor Sayfutdinov said that this was done at the request of the local population. "There are also people who are not religious and who would not like to be disturbed by the noise," he told Forum 18. Forum 18 could not independently verify Sayfutdinov's claim.

Forum 18 has been unable to establish whether the ban will continue after Ramadan is over.

### **Haj restrictions reaffirmed**

Abdughaffor Yusupov, head of the Religious Affairs Committee's Haj Department, has reaffirmed that his Committee is maintaining the ban on children taking part in the haj pilgrimage to Mecca, which this year begins in mid-November. The haj pilgrimage is obligatory at least once in their lifetime for Muslims who are able to perform it (there are exemptions, for example for ill health) within Dhu al-Hijja, the twelfth and final month in the Islamic calendar.

In August 2009 ahead of that year's haj, the religious affairs department, then part of the Culture Ministry, announced that no-one younger than 16 nor older than 80 could take part. When government control over religious activity was passed from the Culture Ministry to the new Religious Affairs Committee in the wake of its establishment in March 2010, control of the haj was also transferred to the new body.

Yusupov told RFE/RL on 20 August that only citizens between the ages of 18 and 80 would be able to go on the haj, as well as the umra, the shorter pilgrimage to Mecca that can take place at any other time of the year. He added that the Religious Affairs Committee would record the income of applicants to ensure they could afford it.

He also said that the quota allocated to Tajikistan by the Saudi Arabian authorities has risen this year from 5,000 to 5,500.

### **Jehovah's Witnesses indefinitely under criminal investigation?**

It remains unclear at what stage the reopened criminal case against 17 local Jehovah's Witnesses in the Sughd Region is. The case was originally brought in September 2009 to punish them for a meeting held in a private home in June 2009, but was dropped on 27 October 2009 when prosecutors found no evidence of any criminal offence.

However, the case was revived in May. The Sughd regional department of the NSC secret police sent letters to the 17, warning them that criminal cases against them were reopened for additional investigation. The letter, signed on 7 May by NSC Senior Lieutenant F. Kurbonov, gave no reasons for renewing the investigation.

The case claims that the 17 violated Criminal Code Article 159 ("organisation of political parties, social organisations or religious organisations infringing the personality and rights of citizens") and Article 189, Part 2 ("inciting national, racial, or religious hostility"). A conviction under Article 159 is punishable by up to three years' imprisonment, while a conviction under Article 189, Part 2 is punishable by imprisonment of from five to ten years.

On 19 August, Investigator Kurbonov refused once more to tell Forum 18 when the investigation is likely to be completed and when the case might reach trial, referring

Forum 18 – as he had done in May – to the Jehovah's Witnesses' lawyers. Refusing to give any other information, he put the phone down.

Jehovah's Witnesses from Almaty, Kazakhstan told Forum 18 on 19 August that none of the 17 has been summoned for questioning since the case was reopened.

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## **"Your children will become extremists and terrorists"**

By Mushfig Bayram and Felix Corley

Forum 18 (02.09.2010) / HRWF Int. (06.09.2010) – Website: <http://www.hrwf.net> - As state controls increase on religious activity, Tajikistan's authorities have recently focused on imposing tighter control on Islamic education, Forum 18 News Service notes. President Emomali Rahmon has warned and asked all parents to call back their children studying religion abroad, putting particular stress on those studying Islam. As part of a nationwide operation, police in the northern Sughd Region and elsewhere have raided numerous homes of Muslims privately teaching children the Koran. Administrative and criminal cases were opened against private Muslim teachers and parents who "do not allow" their children to go to school.

Tajikistan has imposed ever-tighter controls on religious activity in recent years. Officials claim that the Muslim Jamaat Tabligh movement was banned in 2006 (the ban does not appear to have been published), while Jehovah's Witness activity was banned entirely in 2007. In 2009 the Salafi school of Islamic thought was banned. A restrictive new Religion Law was adopted in 2009 involving new limits on the numbers of mosques and restrictions on preaching. The new Law required the re-registration of all religious communities amid tight new restrictions. Dozens of members or alleged members of various Muslim movements have been given long prison terms.

The authorities in Sughd Region also banned Muslim prayers via loudspeakers at the beginning of the Muslim holy month of Ramadan, which began on 11-12 August. The authorities in Dushanbe, the capital, asked the Islamic Revival Party to stop holding prayers in their party building. Also it remains unclear how the criminal case reopened in May against 17 Jehovah's Witnesses is developing.

### **Restrictions and penalties**

Article 8 of the 2009 Religion Law guarantees the right to take part in religious education individually and collectively, but also requires state permission for such education. It also appears to restrict this right to registered religious organisations without extending the right to registered religious communities, which are smaller. The Article specifies that "centralised cathedral five-time mosques" and "cathedral five-time mosques" have this right, but pointedly does not include ordinary mosques. Article 12 of the Law appears to require state registration for religious educational establishments.

Article 8 also specifies only that children between the ages of 7 and 18 have the right to obtain religious education in non-school hours with the written permission of their parents, implying that children younger than that do not have this right.

The 2009 Religion Law does not specify any requirement for state permission for those studying religion abroad, but officials insist such permission is required from the Religious Affairs Committee.

Article 474 of the Code of Administrative Violations, which punishes "violation of the law on religious organisations", specifies "teaching religious knowledge without authorisation"

as one of such "violations". For first time offenders, the Article prescribes a fine on individuals of 7 to 10 financial units (the minimum monthly wage), 20 to 30 on religious leaders and 100 to 200 on religious organisations. Fines are higher for those who commit the same "violation" within one year.

### **"Your children will become extremists and terrorists"**

Speaking on 25 August in front of residents of Farhor District, 200 km (125 miles) south of Dushanbe, in remarks which were also broadcast on national television, President Rahmon seriously warned parents about the dangers of sending their children to study Islam in foreign countries. He called on them to return children from foreign Islamic education institutions, local news agencies reported.

"I ask all the parents who have sent their children abroad to study in religious schools, to call them back because most of these schools are not religious in essence," he was quoted as saying. "Your children will become extremists and terrorists, that is, in future they will be enemies of and betray the Tajik nation."

President Rahmon claimed that parents who send children abroad to study Islam want them to become imams to "make money and live on that". "We ourselves, the government and the Religious Affairs Committee will decide how many religious ministers are needed for the country, and will send students to those religious education institutions which do not pursue extremism," he was quoted as saying.

Mansur Sayfutdinov, Senior Advisor to President Rahmon, told Forum 18 on 1 September that the President in his speech did not mean all students who are studying abroad, but only those "studying in violation of the new Religion Law". Sayfutdinov did not comment on why President Rahmon thought that these students would become extremists or terrorists.

RFE/RL's Tajik Service noted that officially, some 2,000 Tajiks are currently studying at religious schools in Egypt, Saudi Arabia, Yemen, Iran, and Pakistan, though the actual number is thought to be higher.

### **Why should the State control religious studies abroad?**

Presidential Advisor Sayfutdinov insisted to Forum 18 that each student wanting to go abroad to study religion "must collect certain documents and be interviewed by the Education Ministry and the State Religious Affairs Committee, and apparently those students have not done so." Asked how many students abroad were in conflict with this requirement, Sayfutdinov said, "I do not have those figures, but if the President spoke about it he must have serious arguments." He also did not know the number of students studying religion abroad with official permission. He referred Forum 18 to the government's Religious Affairs Committee.

Told about the religious communities' complaints about the requirement that they must get the Religious Affairs Committee's consent before sending students to study abroad and asked why the State should control who wants to study religion abroad, Sayfutdinov responded: "We need to make sure these people will not pose threat to the country's security."

Asked if he did not think this created too many bureaucratic barriers for the peaceful students of religion, Sayfutdinov said that the authorities will "allow anyone" to study religion abroad as long as they are "ready to go through the legal procedures." Asked what the legal procedures were and what documents must be collected, Sayfutdinov referred Forum 18 to the Religious Affairs Committee.

The response of Mavlon Mukhtarov, Deputy Head of the State Religious Affairs Committee, to the same question was different from that of Sayfutdinov. Asked why the President asked all the parents to return their children studying religion from abroad, Mukhtarov told Forum 18 on 31 August that President Rahmon "recommended those families with limited budgets to send their children to Islamic schools in Tajikistan". Asked if those who still wanted to go abroad to study Islam were allowed to do so, he said "No one has banned that."

Mukhtarov could not be reached on 1 September for further comments on this issue. He put the phone down twice after Forum 18 introduced itself, saying that he could not hear well. He did not answer subsequent calls.

### **Raids on private Koran lessons**

Amid a growing government crackdown on private Koranic lessons which it regards as illegal, the Interior Ministry launched an apparently nationwide "Operation Madrassah" at the beginning of May to stop such lessons. Such religious education for children in mosques or private homes increases during the school summer holidays.

On 26 May, Sughd Regional Police raided the home of Maruf Rozikov, a 34-year-old resident of Surkh in Isfara District, fergana.ru reported on 13 July. The police found that Rozikov was "illegally" teaching the fundamentals of Islam in his home to twenty children between 8 and 16 years of age. The police opened a case against Rozikov under Administrative Code Article 474. The case was handed to Isfara city Court, but Forum 18 has been unable to find out whether he was punished.

Elsewhere in Sughd, in Istravshan District an administrative case under the same Article was brought against a 39-year-old woman (whose name is not given) for teaching the Koran to four children in her home. Cases under the same Article were also brought against several others in Bobodjongafur, Isfara and Mastchoh Districts, ferghana.ru reported.

Moreover Prosecutors in Mastchoh, Istaravshan and Isfara Districts opened cases under the Criminal Code Article 164 ("preventing from receiving basic compulsory general education") against parents who hindered children to attend secondary schools. If their guilt is proven those parents will be given fines between one and two thousand times the minimum monthly wage or up to two years' imprisonment.

Mavlavi Abduqahor, a madrassah leader in Rudaki, in Khatlon Region south of Dushanbe, was detained with several of his students in early July as part of the Interior Ministry operation and then freed, RFE/RL reported, citing his relatives. He was again arrested on 1 August, together with dozens of his students. Interior Ministry spokesman Mahmadullah Asadulloev told RFE/RL that Abduqahor was arrested for teaching without a licence, charging tuition to his students, failing to adhere to school health and hygiene regulations, and for teaching children under 7 years of age, which Asadulloev said is the worst offence.

### **Officials deny, defend crackdown**

Saidmukhtor Jalolov, Head of the Education Department of Sughd Region, said that under the Education Law, every child must complete the 9-year general education programme. "When parents hinder children from going to school we ask the law-enforcement agencies to prevent such cases," he told Forum 18 on 1 September. Jalolov said that in 2009, the number of such parents was 229, and the figure has gone down to 69 this year.

Nasriddinov, Deputy of Fateh Karimov, Prosecutor of Istaravshan District (he did not give his first name), flatly denied that any cases were opened in his district against private teachers of the Koran or parents who did not send children to secondary schools. Asked what measures would be taken against any parents who might in future do so, "We have no such cases or inclination in our district," he told Forum 18 on 31 August.

Police officer Israfilov (who did not give his first name), Deputy to Rauf Yusupov, Chief of Sughd Regional Police, denied that any police operation was underway against the teachers of the Koran in the region. "We have only identified and stopped illegally acting mullahs who have no licence to teach the Koran," he told Forum 18 on 26 August. Asked what was illegal in the fact that they taught the Koran to children he said, "Ask the relevant organs." He further refused to talk to Forum 18.

Asked if this was not interference in the private life of the families, Jalolov of Sughd Region Education Department said, "No one is against the families teaching their children religion in their free time but they must attend the schools." Asked what he thought about the parents who were facing possible punishments, Jalolov said that "parents who do not let their children attend school must be punished according to the law."

Jalolov also said that he approved of the raids against the "illegal" private Koran lessons. "Everything must be done according to the law, and all those illegal groups and organisations must be stopped," he said referring to unregistered religious activity.

Asked about the police raids on private Koran lessons, Mukhtarov of the Religion Committee in Dushanbe first denied that any cases have been opened against the imams or parents. However, told that Sughd Regional Police had confirmed such raids to Forum 18, he insisted: "Teaching Koran privately is not banned, but those who do it must be licensed by the State Committee. Let those mullahs ask the Committee for a licence."

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## **Banning children from mosques: Authorities' dialogue with clerics**

Orzu Karim, Local reporter

BBC (10.07.2010) / HRWF Int. (19.07.2010) – Website: <http://www.hrwf.net> - Recently, police officers in Khatlon province ejected 100 children from mosques of this region and closed the doors on 40 homes where children were receiving Islamic education.

This issue was raised on Friday, 9 July, in a meeting of police representatives, government authorities of Khatlon province and clerics and representatives of the Council of Islamic Scholars of this province.

In this meeting which was held in the conference hall of the Khatlon province government in the city of Qurghonteppea, Lutfia Roibova, an official from the Education Office of Khatlon province, said that day by day the number of children attending mosque or receiving Islamic lessons from clerics is on the rise.

Ms Roibova warned that this trend will have unpleasant consequences: "Children of school age and those in school are seen in the company of [adults] saying their prayers, they are busy receiving Islamic instructions in private homes and this issue can distance them from receiving a [secular] education."

She also stated that many of the clerics who are giving Islamic lessons to children are spreading the worship of superstitions in the minds of children.

[Ms] Roibova added: "During childhood, the person who receives lessons from clerics or attends the mosque and after hearing the [амри маъруф, so-called] call for righteousness of the Islamic leaders and teachers, s/he will [consequently] leave school. We will from now on increase our monitoring of mosques and will prevent the entrance of children into mosques."

But clerics and religious representatives of Khatlon province opposed such an action on the part of government authorities. They said that 93% of Tajikistan's population is Muslim and one must not be neutral on the issue [of religion].

Eshoni [grand Islamic leader] Saidjon Mahmudzoda, the head of the Council of Islamic Scholars of Khatlon province, said that children must say their prayers and receive Islamic lessons.

He added: "Those children, who attend the mosque, do so outside of school hours and now that it's time for summer vacation, their numbers have naturally risen in the mosques, a fact which in my opinion will not bring forth any negative consequences. They are only saying their prayers and later going home."

Mr Mahmudzoda called baseless the claim of children becoming superstitious in the mosques or in the homes of clerics while receiving Islamic lessons.

He said: "In the mosques, our mullahs do not provide [амри маъруф] call for righteousness and other religious teachings. But why would the authorities take such a decision[?] We do not agree with their decision. From the point of view of Islam and religious traditions, I and other clerics cannot eject a child who with sincerity has entered the mosque."

But police officials of Khatlon province say that most mosque clerics of the province have received Islamic training in India, Pakistan and Arab countries and teach the children and the youth, an act which has negative consequences.

A police agent who refused to state her/his name, while referring to instances of arrest and punishment of youth who have joined the Salafiya, Hizb ut-Tahrir, Jamoati Tabligh and other Islamic groups, said that most of these people became members of extremist groups after having studied in Islamic countries.

According to this police agent, most of the people who have been imprisoned for membership in these groups, had been involved in teaching and recruiting the youth and children to join extremist groups.

According to government officials, the participation of children in prayer ceremonies in the mosques has mostly been seen in the cities of Kulob and Qurghonteppa and the districts of Jaloliddini Rumi, Qumsangir and Bokhtar.

In the meeting held on Friday, police authorities and representatives of other government organs demanded from the Council of Islamic Scholars of Khatlon province to assist the authorities in keeping children away from mosques and the receiving of Islamic lessons from mullahs.

Given that [the authorities' request] appeared more of an order than a suggestion, the officials of the Council of Islamic Scholars of Khatlon province and other clerics did not accept their request.

While difference of opinion between the government authorities and the clerics has not been resolved, police agents say that they will continue with the special operations of keeping children and youth away from mosques.

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## **Ramon's new warning on religious extremism**

***Despite the fact that the Constitution forbids the government from supporting any form of ideology, Mr Rahmon has supported the Hanafi branch [of Islam]***

BBC (19.07.2010) - During his visit from the mountainous Aini district, the president of Tajikistan warned against the spread of religious extremism.

On 8 July, while speaking near a [religious figure's] mausoleum in the village of Veshab, said to be that of Shamsi Tabrizi, one of the great learned persons of the 13th c. A.D., Emomali Rahmon said that religious extremists is attempting to use religion to destabilize society.

Addressing a group of locals, who had come to see him in the Veshab village, [Mr Rahmon] said: "There exists some extremist individuals today who either knowingly or due to their incorrect understanding of our national heritage and religion, want to keep the Muslim people in a careless dream and expand their own agenda using the influence of superstitions and taking advantage of the not so deep religious and moral understanding of a segment of the people, and under the mask of religion to implement their political grudges and unclean objectives."

Mr Rahmon named no group or a specific force whom he called "extremist", but added that "these forces want to use religion as a stage for political maneuvering, and thus damage the foundations of peace and stability, survival of national unity, comfortable life of the people, and security and order of society."

At the same time, he requested from the people to "distinguish truth from falsehood, to condemn discord and extremism, never to lose political astuteness and moral awareness and consider patriotism and worship of the motherland as a requirement for security and as their human responsibility."

The warning of President Rahmon comes at a time when according to analysts, the activities of illegal religious groups such as Hizb ut-Tahrir, Islamic Movement of Uzbekistan, Salafiya and Jamoati Tabligh in various parts of Tajikistan and other countries of the region have been spreading. In recent years, security organs of this country have told of many incidences of arrests and punishment of [alleged] members of these groups.

In the past, the president of Tajikistan in many occasions expressed concern about the tendency of the youth towards - according to the government - extremist groups and urged the unity in religion and belief of the people.

While making the pilgrimage to the "Mausoleum of the Shamsi Tabrizi" in the Zarafshon valley, [Mr Rahmon] referred to this point again and expressed his support for the Hanafi branch [of Islam], one of the four main branches of Sunni Islam, which is said to include the largest segment of Tajikistan's population among its followers.

Among other things, Mr Rahmon said: "Using this opportunity, I would like to remind you of one important issue, which I have emphasized many times. We are the followers of one of the most influential religions of Islam - Hanafiya -, the founder of which is the great child of the Tajik nation, Seyed Abuhanafi Noamon ibni Sobit."

Despite the fact that the Constitution of Tajikistan has called this country secular and has forbidden the government from supporting any religious and political ideology, during



recent years, the government of Tajikistan, has openly supported the Hanafi branch [of Islam].

Among other things, with the initiative of the president, Emomali Rahmon, 2009 was the year of commemorating Imomi Azam, i.e. Abduhanafi Noamon ibni Sobit, who is known to have been the leader of the Hanafi branch [of Islam]. Furthermore, in one of his speeches to the Education Ministry, Mr Rahmon had ordered that teaching programmes of educational institutions of the country be adapted to the ideas of Hanafi [Islam].

compared to other branches of Islam. And by referring to the nationality of the Imom Abuhanafi, who in historical documents has been referred to as having "Iranian ancestry", they have repeatedly emphasized the "Tajikness" of this renowned Islamic jurispudent. Tajik authorities believe that the Hanafi branch [of Islam] is more tolerant and democratic as compared to other branches of Islam. And by referring to the nationality of the Imom Abuhanafi, who in historical documents has been referred to as having "Iranian ancestry", they have repeatedly emphasized the "Tajikness" of this renowned Islamic jurispudent.

In his speech in the Veshab village, Mr Rahmon said that: "You know full well that our religion is renowned for its culture of friendship and tolerance. That is, we have two things we should be proud of on this issue: First is that the founder of our branch of religion grew up among our own people and second that this philosophy and worldview of peace and tolerance is acceptable to all the sane and benevolent people."

Critics of policies of President Rahmon claim that he has made the effort to use patriotic feelings and religious sentiments of the population for maintaining his power, popularity and status and to keep the attention of the people on himself rather than the critical social issues, such as widespread poverty and corruption.

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## **Tajik court reopens case against Jehovah's Witnesses**

RFE (09.07.2010) / HRWF Int. (12.07.2010) – Website: <http://www.hrwf.net> - A Tajik justice official says a criminal case has been reopened against 17 Jehovah's Witnesses for fomenting religious hatred, RFE/RL's Tajik Service reports.

Jamhur Jiyonov, an aide to the prosecutor in the northern Sughd Province, told RFE/RL on July 7 that investigators from the State Security Committee had launched a preliminary investigation under Article 189 of the Criminal Code on "promoting religious or ethnic hatred."

If found guilty, the suspects could face prison terms of between five and 12 years.

Zafar Rahimov, a member of the Christian group, told RFE/RL that neither he nor any of his fellow Jehovah's Witnesses had so far been detained.

However, he said they had received letters from a local court notifying them that a criminal case against them has been reopened.

The 17 were detained last year during a gathering at the home of a Jehovah's Witness and they were subsequently accused of illegal activities.

They explained they had only gathered in order to read religious books and had done nothing against the state.

Early this year, the state prosecutor's office ruled that the sect's activities in Sughd were not criminal and it suspended the case.

Jehovah's Witnesses were legally registered in Tajikistan in 1994.

But the Culture Ministry banned the religious group's activities in October 2007 because the group's literature attacks other religions, since its members actively proselytize and have prayer meetings in their homes rather than in designated buildings.

The ministry also accused Jehovah's Witnesses of antistate propaganda because of their efforts to discourage young men from performing military service.

The religious group filed an appeal with the Tajik Supreme Court on the government's ban on the sect's activities in Tajikistan.

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## **Tajik court sentences 36 for membership in banned Islamic group**

RFE (19.05.2010) / HRWF Int. (26.05.2010) – Website: <http://www.hrwf.net> - A Tajik court has sentenced 36 people to prison for being followers of the banned Islamic group Jamaat ut-Tabligh, RFE/RL's Tajik Service reports.

Judge Ikromjon Abdulhafizov, in the southern Khatlon Province, said the court had proven the guilt of the 36 accused. He said 17 of them who were kept in detention since their arrest last fall received sentences of between five and 6 and 1/2 years. Nineteen others who were released on bail after their arrest will be jailed for three years.

The trial was held behind closed doors.

Faridoon Boboev, who was 17-years old when he allegedly joined the banned group, was released after he paid a fine of 2,500 somoni (\$570).

Abdulhafizov noted that three other alleged followers of Jamaat ut-Tabligh received suspended sentences because they agreed to pay a 25,000 somoni (\$5,700) fine.

The youngest person sentenced is 18 and the oldest is 63-years old.

Saivali Navruzov, the lawyer for 12 of the defendants, said their guilt was not proven and that he will appeal the sentences.

Janob Ashurov, who represented Nosir Rahimov, said he will not appeal Rahimov's 6 and 1/2 year prison term. Ashurov said the prosecution did not produce any witnesses and the prosecution's case was based on statements by the accused, who he said were forced to incriminate each other.

Rahimov's relative, Ibrohim Boev, said Rahimov pleaded guilty because he hoped if he did the court would only fine and release him.

Khatlon Province Prosecutor Abdurahim Rahimov said that anyone who acts outside the principles enshrined in Tajikistan's Constitution is an extremist.

But the leader of the Islamic Renaissance Party in Khatlon, Qalandar Sadriddinov, said that Jamaat ut-Tabligh has not done anything that violates the constitution and the accused were only were promoting Islamic values.

This was the second collective trial of members of Jamaat ut-Tabligh in Tajikistan. Last year 56 alleged members of the banned group were sentenced either to varying terms of imprisonment or a milder administrative punishment.

Jamaat ut-Tabligh was banned in Tajikistan in 2006.

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## **Officials insist unregistered activity "illegal"**

By Mushfig Bayram

Forum 18 (15.04.2010) / HRWF Int. (15.04.2010) – Website: <http://www.hrwf.net> - Tajikistan continues to seriously restrict freedom of religion or belief for all, Forum 18 News Service has found. Under the restrictive 2009 Religion Law all unregistered religious activity is illegal, despite this breaching the country's international human rights commitments and Constitution, and all previously registered religious organisations are being compelled to seek re-registration. Many places of worship and religious organisations of all faiths who have applied for re-registration have either been refused, or have not yet been able to re-register yet. The country's Baptist Union is unregistered and illegal, and the Jehovah's Witnesses continue to be banned.

The Religion Law imposed an arbitrary deadline of 1 January 2010 for re-registration. It also: imposes tight restrictions on the number of mosques, dependent on the number of residents of a geographic area; forces all imams to be appointed by the state; imposes state censorship of all religious literature; imposes a complicated and bureaucratic registration procedure, which offers officials opportunities to impose arbitrary bans; bans state officials from being among the founders of a religious community; requires state approval to invite foreigners for religious visits, or to travel abroad for religious events; and restricts children's religious activity and education.

Officials conceded to Forum 18 that, less than a month before the deadline, they had been unable to re-register even half of the country's religious organisations who wanted to re-register. However, this did not stop them threatening to close down unregistered mosques and stop all other unregistered activity. Some religious communities complained that officials were using the cumbersome registration procedures to deny them registration. At least one unregistered organisation, a Baptist church in the capital Dushanbe, which refused to apply for state registration to conduct religious activity – a right which is fully recognised in international human rights law – has been closed down.

### **Who has been able to re-register?**

Precise figures for re-registration are difficult to both establish and verify. But the Head Department for Religious Affairs (HDRA) – which on 8 March 2010 was moved from being under the Culture Ministry to reporting direct to President Emomali Rahmon – claimed in December 2009 to have registered 1,500 out of 3,500 mosques. HDRA Deputy Head Saidbeg Mahmudulloyev told Forum 18 on 9 April that the HDRA is continuing its normal work, but did not know whether there would be any staff changes.

The Religion Law divides mosques into three categories – the largest ones are designated Central cathedral mosques, medium sized ones as Cathedral mosques, and the smallest as Five-fold mosques. A Five-fold mosque is defined by the Law's Articles 9, 11 and 13 as a religious community that may be established in residential areas with a population of 100 to 1,000 people, or – in the case of Dushanbe - with a population of 1,000 to 5,000, and registered with the local executive authorities.

As of 15 April 2010, 236 Five-fold, 48 Central cathedral, and 12 Cathedral mosques, as well as over 12 non-Muslim religious organisations are thought by Forum 18 to have failed to be re-registered.

Mahmadulloyev of the HDRA told Forum 18 that, of the 68 Central cathedral mosques only 20 were re-registered, as "the others were slack in submitting their documents in time." He declined to give details of how many religious organisations were re-registered, referring Forum 18 to HDRA leading specialist Nazira Dodkhudoyeva.

Dodkhudoeva on 9 April said that 72 out of 84 non-Muslim organisations officially registered before the 2009 Religion Law had been re-registered. "The other nine organisations were either late to submit their documents or did not ask for re-registration," she told Forum 18 on 14 April. "Those organisations are illegal now according to the new Law." She declined to comment what punishment would be given for unregistered activity.

Dodkhudoyeva also declined to comment on Muslim organisations, stating that Mahmadulloyev is responsible for work with the Muslims.

The government sponsored Avesta.tj news agency reported on 21 January 2010 that an official (whose name was not given) of the Culture Ministry stated that that 247 out of 259 officially registered Cathedral mosques were re-registered, as well as 2,969 Five-fold mosques.

Comparing the figures given to Avesta with figures given to Forum 18 by the HDRA, the total number of currently officially admitted unregistered mosques is 236.

Rabbi Mikhail Abdurahmanov of Tajikistan's only synagogue told Forum 18 on 8 April that they have not applied to register yet, as they have not decided in whose name their new building should be registered. "Otherwise we carry on our activity in the new building without any problems," he said. Their former synagogue was bulldozed by the authorities without paying compensation – which was paid by President Rahmon's brother-in-law instead.

### **Unregistered but allowed Council of Ulems**

However, the HDRA and the state-favoured Council of Ulems (Islamic scholars), which replaced the former Muftiate or Spiritual Board of Muslims, differ on whether or not the Council is functioning. Mahmadulloyev of the HDRA stated that the Council "has not been re-registered because not enough Cathedral mosques or Islamic educational institutions have been re-registered," and so the Council "has stopped functioning until it's registered again."

But Maruf Rahimov, Deputy Head of the Council of Ulems, told Forum 18 on 14 April that "we have no problems with the Board and continue our work. The HDRA is registering more mosques so we can soon re-register."

Mahmadulloyev of the HDRA agreed with the latter point, stating to Forum 18 that under Article 9 point 2 of the Law "more than half of 68 Cathedral mosques or educational institutions must have official registration to entitle them to a national centre [i.e. the Council]. Until now we have only re-registered 20 Islamic organisations but I think we will re-register 20 more within this month. So there should no worries that we will not register the Council." He continued that "we will register the Council after the [state-appointed] imams of the mosques elect the head of the Council in a congress to be held."

### **Unregistered but not allowed Baptists**

The relaxed attitude displayed by the HDRA towards the unregistered Council of Ulems' activity and its future prospects for registration is not replicated in the HDRA attitude towards the also unregistered Baptist Union. ""The Baptist Union was not re-registered before the deadline so they lost their previous legal status automatically," claimed Mahmadulloyev of the HDRA. "It should stop its activity since all unregistered religious activity is considered illegal now according to the new Law."

Baptist Union Chair Alexandr Werwai complained to Forum 18 on 3 December 2009 that the HDRA was illegally obstructing the Union's registration. Objecting to Mahmadulloyev's latest comments, Werwai on 9 April told Forum 18 that the Union submitted its documents on 18 December, which was confirmed in a formal acknowledgement from the Culture Ministry which Forum 18 has seen.

Mahmadulloyev claimed to Forum 18 that "based on the Law we needed one month to process their documents, but we did not have enough time to process them." Werwai told Forum 18 that the HDRA only notified six Baptist churches of their re-registration on 14 December – the documents having been submitted to the HDRA in September.

### **"Why should we re-register another national centre?"**

Continuing to defend HDRA's refusal to re-register the Baptist Union, Mahmadulloyev claimed that as the HDRA had re-registered the Association of Evangelical Christians-Baptists of Tajikistan headed by Igor Samiyev, "why should we re-register another National Centre for the Baptists?"

Mahmadulloyev argued that the new Religion Law allows only one national centre for each denomination. Asked to substantiate his claim he pointed to Article 9 part 2 of the Religion Law. This reads: " a national religious centre is established as a special form of religious association for the solution of issues of a common confession by more than half of the total number of religious organisations belonging to the same confession."

"I understand that more than half of the Baptist churches have already established one national centre," Mahmadulloyev stated. "Logically, the number of the remaining Baptist churches is less than half of the total number. So, Alexandr Werwai and their registered churches are not entitled to establish another national Baptist centre."

When Forum 18 asked again whether the HDRA would re-register the Baptist Union, Mahmadulloyev said that "we will do what the Law says." He denied that this was discrimination.

Forum 18 understands that various Baptist churches wanting to work independently from each other established and officially registered in 1999 two different Associations – the Association of Evangelical Christians-Baptists of Tajikistan and the Baptist Union of Tajikistan. The Baptist Union includes six registered and 12 unregistered churches, as well as 5 small home groups.

### **Jehovah's Witnesses still banned**

Yuri Toporov, the lawyer for the Jehovah's Witnesses told Forum 18 on 8 April that the Supreme Court on 17 February rejected their appeal to overturn the ban on the organisation. "The Community is preparing a new appeal to the Supreme Court, which they will soon make," he said.

The Supreme Court's Chancellery refused to comment on the case to Forum 18 on 8 April. Since being banned in October 2007 the Jehovah's Witnesses have faced raids and threats of prosecutions by the police and National Security Committee (NSC) secret police.

## **Unregistered religious activity "illegal"**

Mahmadulloev of the HDRA stressed that all unregistered religious activity "is now illegal" according to the new Religion Law. "We will deal with those violating the Law accordingly," he stated. However, like his colleague Dodkhudoyeva, he declined to specify to Forum 18 what would happen to people engaged in unregistered activity.

Asked why people must have official registration to peacefully exercise their freedom of religion or belief, Mahmadulloev stated that "in any civilized democratic country citizens must abide by the laws." When Forum 18 re-stated the question, asking whether he does not see a conflict between the Religion Law's claim that registration is compulsory for peaceful religious activity, and the Constitution and international human rights standards guarantees of the fundamental right of freedom of religion or belief for all, Mahmadulloev calmly said: "I am not a lawyer".

Forum 18 asked what actions will be taken against unregistered groups, such as Dushanbe's banned Baptist church. Mahamadulloev stated in reply that "I am not a lawyer, but I also have not heard any Baptist church being banned in Dushanbe."

Mahmadulloev is a long-time employee of the HDRA and its predecessor agencies, and his HDRA colleagues have been well aware of the ban on the Baptists.

## **"Unofficial" restrictions on registered religious activity**

The Religion Law imposes many restrictions on even registered activity, but it does not geographically limit activity. However, the authorities are using the opportunities offered by the registration procedure to compel religious communities to impose "voluntary" limits on themselves via their charters.

Representatives of several religious organisations have complained to Forum 18 they could not get national status when they re-registered. They insist that they should be allowed to determine for themselves where they will function, but that they were forced to accept limitations imposed by the HDRA as the price of re-registration.

Article 10 points 9 and 10 of the new Law define religious organisations' status as national, city and district level organisations, depending on the territory their activity covers as shown in their charters.

Religious communities have told Forum 18 of their fear that, if they are involved in religious activity outside the territory shown in their charters, the authorities might accuse them of violating the Law.

Another "unofficial" restriction is a ban on Islamic preaching apart from in Central cathedral mosques. An Ismaili imam from the south-eastern Badakhshan region, who wanted to remain unnamed, told Forum 18 that there are "no problems with unregistered religious activity in there area." But preaching was only allowed in Central cathedral mosques in his region. "I do not know how it is in other regions in Tajikistan, but in our region imams can only preach in the Central Cathedral mosques although the Law does not say anything on this."

## **Unregistered religious groups fear punishments**

Members of various unregistered Protestant churches have complained to Forum 18 that they fear that the authorities will soon resume making raids on them. "They are not raiding us yet, perhaps especially because they are busy with their own organisational

issues," one Protestant told Forum 18 on 9 April. "But I am sure as soon as they resolve those issues they will start the raids."

"We have not been registered yet, and we continue our activity," a member of another Protestant church said, "but we live in constant fear that we will be punished for unregistered activity."

### **Jamaat Tabligh members convicted**

At least 93 followers of the Jamaat Tabligh Islamic movement were detained in April 2009. The Supreme Court in early March 2009 punished 56 of them. Official sources have claimed that 23 were given between three and six year jail terms, and 33 were given heavy fines. A Supreme Court official confirmed these statements to Forum 18 on 9 April (see forthcoming F18 News article).

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## **Tajik court sentences 12 Hizb ut-Tahrir members**

Interfax (16.02.2010) / HRWF Int. (24.02.2010) – Email: [info@hrwf.net](mailto:info@hrwf.net) – Website: <http://www.hrwf.net> - A court in the Tajik capital issued a guilty verdict against 12 members of the banned party Hizb ut-Tahrir, having found them guilty of public calls for the forceful overthrow of the Constitutional regime, the court said in a statement on Wednesday.

Ten Tajiks were found guilty of organizing a criminal group, inciting ethnic, racial or religious hatred, as well as making public calls for the forceful overthrow of the Tajik constitutional regime, and were sentenced to between 8 and 14 years at a high-security prison.

"The court took into account the age and inexperience of one of the convicts, Tajik man Solekhzhon Dzhurayev, born 1993, and sentenced him to three years at a juvenile correctional institution," the statement said.

Two other convicts are from Uzbekistan. "The Uzbek men Akhmadullo Mengliyev and Abdumannon Yunusov, who were wanted in their home country, fled to Tajikistan, where they continued their extremist activities and were sentenced to 13 and 10 years of imprisonment, respectively," the statement said.

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## **Four Islamists sentenced in Tajikistan**

Interfax (16.02.2010) / HRWF Int. (24.02.2010) – Email: [info@hrwf.net](mailto:info@hrwf.net) – Website: <http://www.hrwf.net> - - A court in the north of Tajikistan has convicted four local residents, including a 16-year-old boy, of terrorism, the country's Supreme Court said on Tuesday.

"The Sogda regional court sentenced citizens of the Republic of Tajikistan Abdudjamil Akhmadov to 30 years in prison, Abdurakhmon Kayumov to 17 years in prison, Muzaffar Akhmadov to 15 years, and Nasibullokh Zabirzoda to eight years," the Supreme Court said.

"All convicted persons are active members of the Islamic Movement of Uzbekistan," the court said.

Abdudjamil Akhmadov, Abdurakhmon Kayumov and Muzaffar Akhmadov were convicted of terrorism, involvement with an armed group and measures to incite ethnic, racial and religious hatred.

Nasibullokh Zabirzoda, 16, was also found guilty of supplying food to his uncle, who was in hiding from the authorities.

Every year, Tajik courts sentence 10-15 people suspected of being apart of the Islamic Movement of Uzbekistan, a militant group set up in the Afghan province of Kandahar in 1996. The organization says its goal is to violently overthrow the secular authorities in Central Asian republics and to turn them into Islamic states. Most of its members are currently fighting alongside the Taliban in south Afghanistan.

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## **Jehovah's Witnesses appeal to the Supreme Court of Tajikistan**

JW Official Media Website (02.02.2010) / HRWF Int. (09.02.2010) – Email: [info@hrwf.net](mailto:info@hrwf.net) – Website: <http://www.hrwf.net> - Jehovah's Witnesses in the Republic of Tajikistan have filed a supervisory appeal with the Presidium of the Supreme Court from a lower court decision that had denied their complaint on the decision of the Ministry of Culture, which terminated the activity of their national religious association. The supervisory review was filed on December 30, 2009.

Jehovah's Witnesses have been active in Tajikistan for more than 50 years. After the breakup of the Soviet Union, they were granted legal registration in 1994. On October 11, 2007, their activity was unexpectedly terminated by Tajikistan's Ministry of Culture under the republic's then-existing law On Religion and Religious Organizations, which has since been repealed. One of the principal reasons given for terminating the activity of Jehovah's Witnesses was their public ministry, a peaceful religious activity that is internationally recognized and respected by most countries. On September 29, 2008, a trial judge in Dushanbe dismissed an application by Jehovah's Witnesses asking that the decision of the Ministry of Culture be overturned. Their subsequent appeal was dismissed by the Military Collegium of the Supreme Court on February 12, 2009.

In March 2009, Tajikistan enacted a new law governing religious associations. The new law authorizes registered religious associations "to engage in large scale preaching activities," in compliance with the Constitution of Tajikistan and international treaties. Explaining the purpose of the new law, Ambassador Nuriddin Shamsov, Head of the Delegation for Tajikistan, told the Permanent Council Meeting of the Organization for Security and Cooperation in Europe on April 2, 2009, that his government is "taking efforts to ensure religious tolerance and is making efforts to deal respectfully with [a] wide range of groups of religious minorities," which the ambassador said included Jehovah's Witnesses.

"Jehovah's Witnesses in Tajikistan are hopeful their supervisory appeal will be favorably received, especially in view of the provisions of Tajikistan's new law on religious associations," states Gregory Olds, a human rights attorney who is following this case closely. "A positive ruling will permit Jehovah's Witnesses in the Republic of Tajikistan to continue their peaceful worship and the positive contribution they make to Tajik society through their law-abiding way of life and adherence to high moral values."

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## **Nine religious groups in Tajikistan declared illegal**

RFE / RL (27.01.2010) / HRWF Int. (28.01.2010) – Email: [info@hrwf.net](mailto:info@hrwf.net) – Website: <http://www.hrwf.net> - Nine religious groups in Tajikistan failed to file documents for reregistration by the January 1 deadline and have been declared illegal, RFE/RL's Tajik Service reports.

Saidbek Mahmadulloev, of the Tajik Culture Ministry's Department for Religions, told RFE/RL that the new law on religions adopted in March 2009 required all religious groups and organizations to reregister by the beginning of 2010.

The Jewish congregation in Dushanbe, the Church of Jesus Christ of Latter Day Saints (Mormon church), several Baptist churches, and the International Preaching House failed to file papers by January 1.

Mikhail Abdurahmonov, the rabbi of the Dushanbe synagogue, told RFE/RL that his congregation was unable to reregister because the new synagogue still lacks an official address.

Dushanbe authorities demolished the building that housed the city's old synagogue in 2008.

Hasan Assadullozoda, President Emomali Rahmon's brother-in-law who is also the head of Orion Bank, offered the small Jewish congregation his large house as a new synagogue after the old one's destruction.

Abdurahmonov said the new synagogue cannot be legally registered because the building is still owned by Assadullozoda.

There were 81 non-Muslim religious groups registered in Tajikistan before the new law was adopted and all of them except for the nine were able to reregister by January 1.

According to official statistics, there were 247 grand mosques and 2,969 daily-prayer mosques registered in Tajikistan by January 1.

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