



2012 Report on International Religious Freedom - Tajikistan

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Executive Summary

The constitution protects religious freedom; however, other laws and policies restrict religious freedom and, in practice, the government enforced some of those restrictions. The government's respect for religious freedom declined during the year. The law prohibits persons under the age of 18 from participating in public religious activities, and women were also effectively barred from attending Muslim religious services. Most members of minority religious groups were able to attend places of worship, but Muslim boys, even when accompanied by an adult male, required an approved petition from the Committee on Religious Affairs (CRA) to attend services in mosques. Authorities prohibited the operation of some unregistered religious groups. The government continued to express concern about Muslim religious practices and groups it perceived as representing a "foreign ideology" or a threat to social order. The government required all persons studying religion abroad to register with the CRA, the Ministry of Education (MOE), and the Ministry of Foreign Affairs. The government also maintained bans on religious groups it classified as "extremist." The MOE maintained a dress code banning the hijab (women's headscarf) in schools and universities on the premise of preserving the secular education system. The government interpreted its right to restrict religious activity very broadly and essentially asserted its right to approve any religious activity.

There were reports of societal discrimination based on religious affiliation, belief, or practice. Some women who wore the hijab and some men with beards were discriminated against in seeking employment.

The U.S. government regularly discussed religious freedom with government officials, including CRA members. The ambassador met regularly with the CRA chairman and with government ministers to address U.S. government concerns about religious freedom and new laws that may further restrict it. Embassy staff and visiting U.S. government officials met regularly with leaders of religious groups. Embassy staff investigated instances of potential discrimination and discussed such cases with the government.

Section I. Religious Demography

The population is 7.7 million, according to a State Statistics Agency estimate from October 2011. According to local academics, the population is more than 90 percent Muslim. Active observance of Islam appears to be increasing steadily, especially among youth. The majority adhere to the Hanafi school of Sunni Islam as traditionally practiced in Central Asia. Approximately 4 percent of Muslims are Ismaili Shia, the majority of whom reside in the remote eastern Gorno-Badakhshan Autonomous Region. The country has approximately 3,452 "five-time" prayer mosques and 357 "Friday prayer" mosques (larger facilities built for weekly prayers).

There are 75 registered non-Muslim religious groups. There are approximately 150,000 Christians. The largest Christian group is Russian Orthodox; there are also Baptists, Roman Catholics, Seventh-day Adventists, Lutherans, and Korean Protestants. There are a small number of Bahais, fewer than 300 Jews and approximately 700 Jehovah's Witnesses.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution protects religious freedom; however, other laws and policies restrict religious freedom. There is no official state religion, but the government recognizes the "special status" of Hanafi Islam.

The CRA is the main body overseeing and implementing all religious laws. The nominally independent Council of Ulema issues fatwas and religious guidance to Islamic religious groups. The Center for Islamic Studies within the President's executive office monitors religious developments and helps formulate the government's religious policy.

The law prohibits persons under 18 from participating in public religious activities with the exception of funerals. The law permits parents to petition the CRA to allow their children to attend religious services.

By law, all religious groups must register with the government to operate legally. The CRA oversees this process. In the absence of registration, local authorities can force a place of worship to close and fine its members, although the authorities permit some unregistered minority groups to worship unimpeded. The government maintains a list of banned groups it considers "extremist," including Jamaati Tabligh (an Islamic missionary organization), Hizb ut-Tahrir, and anyone proclaiming allegiance to the Salafiya movement or ideology.

The Law on Freedom of Belief and Religious Organizations regulates registration, size, and location of mosques, limiting the number of mosques that may be registered within a given population area. "Friday" mosques are allowed in districts with 10,000 to 20,000 persons; "five-time" mosques are allowed in areas with populations of 100 to 1,000. In Dushanbe, "Friday" mosques are allowed in areas with 30,000 to 50,000 persons, and "five-time" mosques are allowed in areas with populations of 1,000 to 5,000. The law stipulates that imams are selected by "the appropriate state bodies in charge of religious affairs." The religion law allows one central "Friday" mosque per district, and makes other mosques subordinate to it. The law also restricts Muslim prayer to only four locations: mosques, cemeteries, homes, and holy shrines.

The religion law requires that all institutions or groups wishing to provide religious instruction first obtain permission and be registered through the CRA. Only central district mosques may operate madrassahs for high school graduates. Other mosques, if registered with the government, may operate religious schools for younger students. One madrassah that provides both religious and secular instruction for students above the ninth grade continues to operate in Dushanbe. Parents may teach religious beliefs to their children in the privacy of their home, provided the child expresses a desire to learn. However, the law forbids religious homeschooling outside the immediate family.

Three new articles added to the Code of Administrative Offences punish those violating the religion law's tight restrictions on sending Tajik citizens abroad for religious education, preaching and teaching religious doctrines, and establishing ties with religious groups abroad. Another new provision punishes religious groups for engaging in activities not specifically set out in their statutes, and makes the CRA responsible for handing down fines for such offences.

A 2004 Council of Ulema fatwa prohibiting women from praying in mosques remains in effect, reinforcing official government policies regarding women praying in mosques. The fatwa states that according to the country's Islamic traditions, women should pray at home.

The government does not permit school and university students to wear the hijab, although it permits wearing traditional Tajik hats and scarves. The MOE dress code does not permit teachers under age 50 to wear a beard.

The Law on Observing National Traditions and Rituals regulates private celebrations and funeral services, including weddings, funerals, and Mavludi Payghambar (the Prophet Muhammad's birthday). The law limits the number of guests, eliminates engagement parties, and controls ceremonial gift presentations and other rituals. The religion law reiterates these principles, mandating that "mass worship, religious traditions, and ceremonies should be carried out according to the procedure of holding meetings, rallies, demonstrations, and peaceful processions prescribed by law of the Republic of Tajikistan."

The government tightly controls the publication, importation, and distribution of religious literature. Religious groups must submit copies of all literature to the Ministry of Culture for approval one month before delivery. Religious groups may import an unspecified "proper number" of religious materials.

The CRA regulates participation in the Hajj. The CRA collects applications and fees for participation in the Hajj and makes all flight and hotel arrangements in Saudi Arabia. Persons under age 18 may not participate. The CRA reported that 5,659 Tajik citizens performed the Hajj in 2011. The fee to participate in the Hajj was 17,200 TJS (\$3,546), which was 800 TJS (\$169) more than the prior year. Most who applied were allowed to go. Cases of corruption were reported in the selection of candidates for pilgrimage.

The government observes the following religious holidays as national holidays: the Islamic holy days of Idi Ramazon (Eid al-Fitr) and Idi Qurban (Eid al-Adha).

Government Practices

There were reports of abuses of religious freedom, including reports of brief detention. The police detained a group of Jehovah's Witnesses in April for holding religious services in a mini-bus, and later released them. The government generally enforced legal restrictions on religious freedom, interpreting its right to restrict religious activity very broadly and essentially asserting its right to approve any religious activity.

The government levied heavy fines on the "production, export, import, sale, and distribution of religious literature" without permission from the CRA. The government charged a fee per page to "review" religious literature before granting this permission. Government-owned media outlets did not regularly publish religious literature, but on occasion published copies of the Quran in the Tajik language.

On March 2, a court fined two residents of the southern Khatlon region 8,000 TJS (approximately \$1,700) each for "inciting national, racial, regional, and religious hatred." The court convicted the two of leading prayers that violated Sunni prayer rules (which may include the location of one's hand, the position in which one sits, and other strictures). The prosecutor alleged their actions

created "public misunderstanding and religious conflict" by "fomenting aggressive debate" at the mosque.

On October 3, Adashkhon Inoyatzoda, muezzin (caller to Islamic prayer) of Dushanbe's central Khoja Yaqub mosque, became the first person to face charges under the Parental Responsibility Law for allowing underage people to attend prayers. A court fined Inoyatzoda 280 TJS (\$60).

There were numerous reports of authorities banning religious expression or practice. In February, the Customs Service seized a shipment of 20 different religious books imported from Iran, and a court in the southern city of Kulob subsequently determined that five of the books are on the Ministry of Culture's roster of banned literature.

In May the Vahdat district court permanently banned Friday prayers at the Muhammadiya mosque. The Muhammadiya mosque was the center of a controversy beginning in December 2011, when officials accused the leaders of the mosque of conducting Shia rituals. At year's end, the authorities continued to permit only five-times-a-day worship at the mosque, and not Friday prayers.

On July 2, the Dushanbe Mayor's Office banned the use of loudspeakers for azan (Islamic call to prayer) in Dushanbe mosques. The new regulation prohibited the sound of the azan beyond the mosque to avoid disturbing city residents, particularly people of other faiths. The mayor ordered city police to implement this decree immediately. He also instructed police to set up video cameras at each mosque, to prevent underage people from attending mosques.

On August 8, the local government in Sarband, Khatlon region, set up video cameras in all mosques. A government official told the media this was to monitor prayer in mosques, follow sermon topics, and discourage underage people from entering the mosques. Sarband was the first district outside of Dushanbe to install video cameras inside mosques.

Many observers noted that the government heavily influenced the work of the Council of Ulema and tasked it to promote official state policies regarding Islam. In November the Council of Ulema, at the CRA's request, established new rules on wearing a beard for men and clothing for women according to interpretations under the Hanafi Islamic school of thought. The new rules, which did not carry the force of law, limited a man to a beard no longer than the size of his fist, and decreed that a woman's clothing should cover her body except for her face, hands and feet. The Council of Ulema supported the MOE dress code banning the hijab in schools, ruling that the national head covering may substitute for the hijab. Women who studied at the Islamic Institute and madrassahs were able to wear the hijab. The government did not permit government officials, teachers, and students in government schools to wear beards, but police reportedly did not harass bearded men who worked in local bazaars.

Mosques generally enforced the 2004 Council of Ulema fatwa prohibiting women from praying in mosques. Many imams believed they would face problems with the government if they allowed women to attend their mosques.

Some minority religious groups continued to report that local officials obstructed their efforts to register new churches, refused to provide necessary documentation for registration, and intimidated group members.

Government authorities intervened in the affairs of Muslim communities. In February the government dismissed two prominent Dushanbe imams, for refusing to read a Council of Ulema statement against the members of the Turajonzoda family, a prominent family with which the government has been embroiled in a long-running dispute.

In July the Khatlon regional government closed more than 100 mosques due to lack of proper documentation. The head of the Land Reclamation Department in Khatlon told the media that the

main reason for closing the mosques was a lack of construction permits. He said the closed mosques would be used for schools, medical centers, and other public facilities.

The government placed numerous restrictions on religious activities and materials.

In October the supreme court rejected the appeal by a member of the Jehovah's Witnesses of the government's denial of its registration.

In March the Ministry of Justice accused the international organization Millennium, operating in the southern Khatlon region, of spreading Christian religious propaganda. Authorities asked a local court to shut down the organization and confiscate its property on the basis of a law against holding religious services or activities in a member's house.

The MOE oversaw implementation of legal provisions related to religious instruction in schools. Islamic education could be provided only at Islamic institutions. The MOE approved the rector, faculty, and all programs of study at the Islamic Institute of Tajikistan, the only Muslim higher education institution in the country. The government inspected the curricula at madrassahs and periodically monitored classes.

During the year, the government closed private religious schools not registered with the CRA. Some citizens complained that because of transportation difficulties, it was difficult for children to attend registered religious schools.

Officials inspected bookstores, newsstands, kiosks, markets, and mosques and confiscated unregistered religious materials. Vendors were allowed to sell basic Islamic texts including the Quran, the Hadith, the history of the Prophet, and prayer books. However, the government did not permit vendors to sell Shia literature, texts considered "non-Hanafi," and audio and video disks featuring prominent Tajik imams. The government restricted the sale of previously permitted foreign religious movies, in particular Iranian and Turkish movies.

The only synagogue, in a building the government provided in 2010, was not officially registered because the community was not large enough to meet the Jewish and Tajik requirements for formal registration. Nevertheless, the government permitted Jews to worship there.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal discrimination based on religious affiliation, belief, or practice.

Some women expressed concern that an increasing number of men, including many who returned from the Hajj, pressured women in their families to wear the hijab. Some women who wore the hijab reported they had difficulty finding employment due to discrimination against women who wear religious dress. Men with beards also faced problems in finding employment.

Section IV. U.S. Government Policy

U.S. embassy officials regularly met representatives of the CRA to discuss the need to promote religious freedom as well as cases of concern including the ongoing re-registration case of the Jehovah's Witnesses, and the closure of the Turajonzoda brothers' Friday mosque. Embassy officials met with prominent imams and Muslims clerics including the prominent imam Hoji Mirzo and religious and political leader Hoji Akbar Turajonzoda. Embassy officials also met Catholic priests and members of other religious groups, and monitored government cases against members of the banned Jehovah's Witnesses. The embassy hosted an iftar for women.

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