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2010 Report on International Religious Freedom - Tajikistan

[Covers the period from July 1, 2009, to June 30, 2010]

The constitution provides for freedom of religion; the Law on Freedom of Conscience and Religious Associations (Law on Religion) and governmental decrees regulated religious practices and organizations

Government respect for religious freedom remained poor. The government expressed concern with religious practices and groups that it believed represent a foreign ideology or present a threat to social order. In recent years there has been a growing interest in religion, particularly among youth. The government promoted the Hanafi school of Islam, practiced by the majority of Tajik Sunnis, and designated 2009 as the year of Imam Azam Al Hanafi. The March 2009 Law on Religion tightly controlled the process of opening religious institutions, including places of worship and schools. The government restricted some forms of religious dress, such as the hijab (Islamic headscarf) covering the hair and neck and banned religious groups it has classified as "extremist." Law enforcement officials arrested individuals believed to be members of banned groups and sentenced many to long prison terms.

A 2006 Council of Ulema fatwa (religious ruling) against women attending mosque remained in effect. There were reports that officials ordered imams to prevent schoolchildren from attending mosques outside of school hours; officials from the government's Committee on Religious Affairs (CRA) stated they were investigating these reports. Most Muslim and minority religious communities were able to attend places of worship; however, restrictions existed in other forms of religious expression.

The Law on Religion restricted religious expression and required all religious organizations to reregister with the government by January 1, 2010. The law limited the number of mosques that may be registered within a given population area and required all religious education programs to be registered with the state. The government registered 364 new mosques in the first eight months of 2010.

With the exception of Jehovah's Witnesses, non-Muslim religious communities were able to worship unimpeded, although some communities reported difficulties in meeting the government's registration requirements. There were reports that some local officials refused to provide non-Muslim religious communities with documents they needed to register with the government, preventing them from registering as legal entities. Officials from the CRA have stated they were working with non-Muslim religious groups to resolve these problems.

The Ministry of Education maintained a dress code that banned the hijab in schools and universities; several students were expelled and at least one teacher was fired at Tajik National University. Officials have defended the ban, saying it was needed to preserve

the secular education system. Women wearing a traditional Tajik headcovering, a scarf which covers the hair but not the neck, were allowed to study in schools and universities.

The U.S. government regularly discusses religious freedom with government officials, including members of the government's CRA as part of its overall policy to promote human rights and engage religious communities. Government officials facilitated visits that promote interfaith dialogue. Through its public diplomacy activities the U.S. embassy engaged a wide spectrum of society on religious freedom and tolerance concerns. Embassy staff, including the ambassador and visiting U.S. government officials, met regularly with community leaders of different faiths. Embassy staff investigated instances of potential discrimination and discussed such cases with the government. The embassy also supported exchange programs for local religious leaders to visit the U.S.

Section I. Religious Demography

The country has an area of 55,300 square miles and a population of more than seven million. According to local academic experts, the population is 97 percent Muslim. Overall, active observance of Islam appeared to be increasing steadily, especially among youth.

The majority of inhabitants adhere to the Hanafi school of Sunni Islam. Approximately 4 percent of Muslims are Ismaili Shia, the majority of whom reside in the remote eastern Gorno-Badakhshan Autonomous Region, some districts in Khatlon Region, and in the capital, Dushanbe. The country has approximately 3,334 "five-time" prayer mosques and 359 Friday prayer mosques (larger facilities built for weekly Friday prayers). Neither of these figures included Ismaili Jamatkhanas (places of worship).

There are 74 registered non-Muslim religious organizations. Approximately 150,000 Christians, mostly ethnic Russians and other Soviet-era immigrants, reside in the country. The largest Christian group is Russian Orthodox; there are also Baptists, Roman Catholics, Seventh-day Adventists, Lutherans, Korean Protestants, and Jehovah's Witnesses. Other religious minorities include Baha'is and Jews. Some religious communities have been banned or denied registration, including the Jehovah's Witnesses.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion; however, government laws and decrees regulated the activities of religious organizations. There was no official state religion, but the government recognized the "special status" of Hanafi Islam.

Religious organizations and institutions must be registered with the government. The CRA replaced the Ministry of Culture's Department of Religious Affairs and oversees the registration process. The Center for Islamic Studies within President Rahmon's executive office monitored religious developments and helped formulate the government's religious policy.

The March 2009 Law on Religion expanded the government's power to regulate religious communities and required all registered religious organizations to reregister with the government by January 1, 2010. Most religions completed reregistration by the deadline.

To register with the CRA under the religion law, religious organizations must provide a large number of documents. Some religious organizations reported that they were regularly asked to submit additional documents to the government. A religious group must submit a charter listing at least 10 members who have been resident and registered in an area for at least five years, and evidence of local government approval of the location of a house of worship. A religious group must have a physical structure in order to register. In the absence of registration, local authorities can force a place of

worship to close and fine its members. While most unregistered minority communities have been able to worship unimpeded, restrictions existed.

The religion law singles out mosques for specific regulations and limited the number of mosques that may be registered within a given population area. Friday mosques were allowed in districts with 10,000 to 20,000 persons; five-time mosques were allowed in areas with populations of 100 to 1,000. The quotas were higher for Dushanbe, where Friday mosques may function in areas with 30,000 to 50,000 persons; five-time mosques were allowed in areas with populations of 1,000 to 5,000. The law stipulated that imams and imam khatibs were selected by "the appropriate state bodies in charge of religious affairs." The religion law allows one central Friday mosque per district; other mosques were subordinate to this central one. The law also restricted the rights of Muslims to pray to only four locations: a mosque, a cemetery, at home, and at a holy shrine. This provision was largely unenforced; however, there were reports that government employees were not permitted to pray while at work.

The law gives the government broad authority to regulate religious education. All institutions or organizations wishing to provide religious instruction must first obtain permission and a license from the authorities. Only central district mosques may operate madrassahs for high-school graduates. Other mosques may operate religious schools for younger students. The Ministry of Education oversaw implementation of legal provisions related to religious instruction. Government public schools taught a weekly one-hour course on Islam in the eighth grade.

There were 19 religious madrassahs and one secular/religious madrassah for students who completed at least the ninth grade. According to the religion law, private religious schools must register with the Ministry of Justice and obtain a license from the Ministry of Education. It was legal for parents to teach religious beliefs to their children in the privacy of their home, provided the child expressed a desire to learn. The only higher education Islamic institution in the country, the Islamic Institute of Tajikistan, was under the Ministry of Education, which approved the rector, faculty, and all programs of study. The government inspected the curricula at madrassahs and periodically monitored classes.

The Law on Observing National Traditions and Rituals regulates private celebrations and funeral services, including weddings, funerals, and Mavludi Payghambar (the birthday of the Prophet). The stated intent of the law was to protect the public from spending excessive amounts of money on celebrations. The law limited number of guests, eliminated engagement parties, and controlled ceremonial gift presentations and other rituals. The religion law reiterated these principles, mandating that "mass worship, religious traditions, and ceremonies are carried out according to the procedure of holding meetings, rallies, demonstrations, and peaceful processions prescribed by law of the Republic of Tajikistan."

Government-owned presses generally did not publish religious literature but did so on occasion, including copies of the Qur'an in Tajik language. There is no legal restriction on the distribution or possession of the Qur'an, the Bible, or other religious works; however, in practice the government restricted distribution of Christian and Islamic literature that it considered to be extremist or promote foreign ideology. The Islamic Revival Party of Tajikistan (IRPT), a registered political party that advocates for governance based on Islamic values, distributed one weekly newspaper and one monthly magazine.

The Department of Religious Affairs (DRA), the precursor to the Committee on Religious Affairs before its creation in March 2010, regulated participation in the Hajj. The DRA collected applications and fees to participate in the Hajj and made all flight and hotel arrangements. Most who applied were allowed to go; in 2009 more than 5,200 pilgrims went on the Hajj, although the cost had increased from \$2,900 to \$3,342, compared to the previous year.

The nominally independent Council of Ulema is an Islamic council that issues fatwas and

religious guidance to Islamic religious organizations. Many observers believed that the Council of Ulema was heavily influenced by the government and promotes official state policies regarding Islam. The Council drafts and approves topics for distribution to imams throughout the country for use during Friday prayers. Some imams used the topics, while others did not. Council members stated they needed permission from the government to meet with foreign officials. They generally were granted this permission and met with U.S. government visitors.

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

Restrictions on Religious Freedom

The government generally enforced existing legal restrictions on religious freedom.

The government maintained a list of banned groups it considers "extremist." The list comprised several religious groups, including Jehovah's Witnesses, which the government banned in 2009 despite a lack of any evidence that Jehovah's Witnesses members engaged in extremist activities. Government officials expressed concern that aggressive proselytization by non-Muslim groups may lead to social instability. Jamaati Tabligh, an Islamic missionary organization, and the Salafiya sect also were banned as extremist groups.

In July Dasti Madad (Helping Hand), a nongovernmental organization that worked with homeless children, was banned after being accused of proselytizing.

The Hizb ut-Tahrir (HT), an extremist Islamist political organization motivated by a virulently anti-Semitic and anti-Western socioreligious ideology that calls for the overthrow of secular governments, was banned under the extremism law. Because HT was primarily a political organization and because it did not condemn terrorist acts, efforts to restrict it and prosecute its members were not regarded as restrictions on religious freedom. The government sentenced members of HT for periods up to 15 years in prison for "inciting religious enmity" and "attempting to overthrow the government."

The Law on Religion required all religious organizations to reregister by January 1, 2010. Nearly all registered religious organizations were able to register by the deadline. The government reregistered 3,693 mosques and 74 non-Muslim religious minority organizations. The Union of Evangelical Christian-Baptists was denied re-registration as a Church Union; the government stated a different union registered under the same name. Some religious minority communities reported that local officials obstructed their efforts to register new churches, refused to provide necessary documentation for registration, and intimidated community members. The CRA has stated it would investigate these cases and work to resolve outstanding registration problems.

A 2006 Council of Ulema fatwa prohibiting women from praying in mosques remained in effect. The fatwa was generally observed. Council of Ulema members promoted official government policies regarding the hijab and women praying in mosques. Council members stated that according to the country's school of Islam women should pray at home. Council members did not dispute the government's ban on the hijab in schools, stating that national clothing may substitute for the hijab.

One unregistered prayer facility in Dushanbe, located on the grounds of the IRPT, allowed women to worship despite the Council of Ulema fatwa. In August 2009 officials asked the IRPT to not allow prayers in the facility because it is not registered as a mosque with the government. The IRPT argued that the law didn't specifically ban prayer, stated the facility was a community center, and contended that individuals should be free to worship at the location. The IRPT was in discussion with the government about the facility at the end of the reporting period.

The government tightly controlled religious instruction. The only higher education

Islamic institution in the country was under the Ministry of Education. Religious homeschooling outside the immediate family was forbidden. The government closed private religious schools that were not registered with the CRA. In the Sughd region and Rudaki district, law enforcement officials shut at least seven unregistered religious home schools. Some Tajiks complained that because of transportation difficulties, it is difficult for children to attend registered religious schools.

The Ministry of Education continued to enforce dress and personal conduct codes that infringed on religious expression. There were restrictions on women who wore the hijab in the universities. Some restrictions were in place for women who wore the hijab after the ninth grade, although the national headcovering was permitted. Some women stated that they chose not to pursue higher education in secular institutions as a result of the dress code. Tajik National University (TNU) expelled at least one woman in April 2010 for wearing the hijab while walking to her dormitory, although she had agreed not to wear the hijab during university classes. At least one TNU teacher was fired for wearing a hijab. Some girls who tried to wear the hijab in schools reported that schoolteachers mocked their religious views. In some rural areas, teachers allowed girls to wear the hijab during class but asked them to leave the classroom when government officials conducted inspections. Council of Ulemo members have not disputed the Ministry of Education dress code banning the hijab in schools, saying that the national headcovering may substitute for the hijab. Women who studied at the Islamic Institute were able to wear the hijab.

In September 2009 the Ministry of Education issued a new dress code prohibiting teachers under age 50 from wearing a beard. The restriction was not fully enforced. There were reports that men were not able to obtain a passport if photographed with a beard, and women were not permitted to be photographed while wearing a hijab, unless traveling for the Hajj. The Council of Ulemo stressed the need for persons to wear traditional robes and headwear, as opposed to religious dress considered foreign, such as a hijab, while in public.

The government tightly controlled importation of religious literature. Religious organizations were required to submit copies of all literature to the Ministry of Culture for approval one month prior to delivery. Under the Law on Freedom of Conscience, religious associations may import an unspecified "proper number" of religious materials. In the past, officials have not permitted large shipments of books by Christian organizations, including Jehovah's Witnesses.

Abuses of Religious Freedom

In July education officials in Khatlon province ordered imams to bar children from attending their mosques, telling imams that attendance at mosque interferes with children's secular education, although school was not in session at the time. During two sweeps in Qurghonteppa, security officials reportedly ordered 132 children to leave mosque premises. The CRA reported that it was investigating the incident and stated that children should not be prevented from attending mosque outside of school hours.

In June 2009 government officials in Khujand entered homes of Jehovah's Witnesses during Bible discussion groups and interrogated and detained members. They were released soon after their detention. Cases were opened against 17 individuals for membership in extremist banned organization. In May 2010 the State Committee for National Security sent letters to the 17 accused informing them that the criminal cases against them remained open.

In 2010 the courts jailed at least 59 individuals and fined at least 33 others for membership in Jamaati Tabligh, an Islamic missionary organization considered to be "extremist" and banned in 2006. Members were sentenced to periods of three to eight years in prison. Jamaati Tabligh had no record of violent activity and many of the country's traditional Islamic leaders believed its members engaged only in peaceful proselytization of Islamic practices. Government officials have expressed concern that the group propagated foreign ideology and was a threat to social stability.

In January 2010 seven individuals were sentenced to five to seven years in prison for membership in the Salafiya movement. The men were arrested in June 2009 when local police and security service officials raided a mosque in Dushanbe during evening prayers. The government did not present evidence that they engaged in violent activities or advocated violence, but expressed concern that Salafis propagated a divisive ideology that was a threat to social order. Some individuals accused of Salafism did not identify themselves as members of the Salafiya movement. Some citizens have stated they believe Salafi practices include loudly saying the word "amen" during prayers, having a beard, and wearing clothing associated with foreign Islamic sects.

The small Jewish community was able to conduct ceremonies without incident and did not face any persecution in the reporting period. The Jewish community was unable to officially register as a religious organization because, according to its leader, there are fewer than 10 Jewish adherents remaining in the city. In 2008 officials tore down the only synagogue in the country to clear space for the grounds of a new presidential palace. A local court upheld a 2008 eviction order, despite irregularities in the manner in which authorities stripped the community of its property. In May 2009 the largest shareholder in one of the country's most prominent banks (and brother-in-law to the president) donated a house in central Dushanbe to the community for use as a place of worship.

Forced Religious Conversion

There were no reports of forced religious conversion.

Improvements and Positive Developments in Respect for Religious Freedom

In 2009 a new Ismaili Center was completed in Dushanbe, the first Ismaili Center in Central Asia.

The government facilitated numerous visits by U.S. government officials and U.S. embassy-sponsored visitors to promote tolerance and interfaith dialogue.

Section III. Status of Societal Respect for Religious Freedom

There were no cases of conflict or animosity between religious groups.

In recent years, religious conservatism seemingly has been on the rise, with some women expressing 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 in this religious dress.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. U.S. embassy officials regularly met representatives of the CRA to discuss joint efforts to promote international religious freedom. The embassy discussed religious freedom cases of concern with CRA officials.

In 2010 the Tajik government facilitated visits by U.S. government officials including Secretary Clinton's Special Representative to Muslim Communities, Farah Pandith, U.S. Special Envoy to the Organization of the Islamic Conference Rashad Hussain; and international religious freedom officer Nasreen Badat. The officials met a broad cross-section of the religious community and state policy makers, including government officials, Islamic Revival Party of Tajikistan leaders, youth, religion students, prominent imams, the Council of Ulema, Afghan refugees, and journalists.

The U.S. government sponsored a visit by Imam Yahya Hendi who visited the country in July to discuss Muslim life in the United States, Islamic issues, and interfaith dialogue.

The U.S. embassy sponsored the travel of six imams to participate in an International Visitor Leadership Program on religious tolerance in early 2010.

Through the Ambassador's Fund for Cultural Preservation, the U.S. government allocated \$53,405 for the protection and renovation of the ninth century Khoja Mashad Madrassah and Mausoleum in Shahrituz, one of the oldest in Central Asia.

The embassy distributed Tajik- and Russian-language materials about mosques in the United States and Muslims in the United States. In June an embassy public affairs assistant traveled to the United States with a Tajik film crew to produce a U.S. government- funded documentary on Muslim life in the United States.

USAID funded the participation of three religious leaders at a conference in Bangladesh on the "Role of Religious and Community Leaders in Advancing Development in Asia." The conference was supported by USAID and the Asia Foundation. Participants included an expert on religious affairs from the government's think tank, an imam khatib from a community mosque, and the head of the Islamic Institute of Tajikistan.
