

24 October 2022

TAJIKISTAN: Restrictions continue for Muslims, intrusive questionnaires for non-Muslims

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

The regime closed all Islamic bookshops in Dushanbe in August and September, as well as some publishers of Islamic literature. The regime has also continued demands that non-Muslim religious communities complete intrusive questionnaires. Some suggested family information is being collected "so that it will be easy to identify us and our family members if in future they decide to target us". "All mosques are under total state control," human rights defenders observed, "so the regime does not need to insist that mosques complete such questionnaires."

The regime has been continuing to implement its existing restrictions on Muslims exercising their freedom of religion or belief. On 24 February President Emomali Rahmon gave a speech stating – in words omitted from the published version of the speech: "People must come to mosques only for prayer, and leave after the prayer. A mosque must not be a place for gatherings and discussions." One human rights defender suggested to Forum 18 that Rahmon "is afraid that people may discuss and criticise his religious policies among other things". Only state-appointed imams are allowed to read state-dictated sermons in state-permitted mosques.

Rahmon's February 2022 speech also called for "serious measures against religious education without state permission", which the regime has banned – including closing all madrassahs (Islamic religious schools) (see below).

On 2 September, the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) announced that it had in late August and early September closed all Islamic bookshops in Dushanbe as well as some publishers which printed Islamic literature (see below).

SCRA Deputy Chair Farrukhullo Olimzoda, Deputy Head Khuseyn Shokirov, and the Deputy Head of the section responsible for work with religious communities Saidakhmad Saidjafarov all refused to discuss the closures with Forum 18. Forum 18 was unable to reach SCRA Chair Sulaymon Davlatzoda (see below).

The SCRA has also continued to demand that non-Muslim religious communities complete intrusive questionnaires. Muslims and a local human rights defender, who asked to remain anonymous for fear of state reprisals, told Forum 18 that they are not aware of mosques being sent such questionnaires. "All mosques are under total state control," they observed, "so the regime does not need to insist that mosques complete such questionnaires."

The first questionnaire sent to non-Muslim religious communities in August 2022 requires full details of all religious community employees and their families. The second questionnaire requires details of all financial support communities receive from foreign individuals or organisations, requiring that all financial contributions must be declared to the SCRA within 10 days of being received (see below).

Religious communities of various faiths, who wish to remain anonymous for fear of state reprisals, told Forum 18 in September and October that they do not like the questionnaires. "This is a violation of our rights to freedom of religion and belief and to privacy," one community member commented. "Giving such detailed information about the financial support we receive is state interference in our internal matters, and giving information on our family members is a gross violation of our privacy."

Some suggested to Forum 18 that the SCRA is collecting family member information for the National Security Committee (NSC) secret police "so that it will be easy to identify us and our family members if in future they decide to target us" (see below).

In 2007 the regime banned Jehovah's Witnesses. On 7 September 2022 the United Nations (UN) Human Rights Committee published a View that "none of the reasons put forward by the State party's authorities and courts" for banning Jehovah's Witnesses and refusing them re-registration are lawful under Article 18 ("Freedom of thought, conscience and religion") of the International Covenant on Civil and Political Rights (see below).

The Human Rights Committee also found that the regime was also violating Jehovah's Witnesses' human rights under Article 22

("Freedom of Association"). The Human Rights Committee stated that Tajikistan must re-register Jehovah's Witnesses, and "take all steps necessary to prevent similar violations from occurring in the future" (see below).

Existing restrictions on Muslims exercising freedom of religion or belief continued

The regime continues to implement its existing restrictions on Muslims exercising their freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2625).

On 24 February 2022, President Emomali Rahmon gave a speech in Bokhtar in the south-western Khatlon Region. Those present told a human rights defender that Rahmon told the audience – in words that were omitted from the published version of the speech: "People must come to mosques only for prayer, and leave after the prayer. A mosque must not be a place for gatherings and discussions."

The human rights defender suggested to Forum 18 on 11 October that Rahmon "is afraid that people may discuss and criticise his religious policies among other things." Only state-dictated sermons are allowed to be read by state-appointed imams in state-permitted mosques (https://www.forum18.org/archive.php?article_id=2625).

In March 2021 the National Security Committee (NSC) secret police arrested Imam Mahmadsodyk Sayidov immediately after he refused to read the state-dictated sermon all imams must read at Friday prayers, instead giving his own sermon. A Kulob court jailed him in June 2021 for five years (https://www.forum18.org/archive.php?article_id=2678) for allegedly participating in a religious "extremist" organisation. Two mosque attendees were also jailed. The 28-year-old Imam Sayidov was the state-appointed imam of the Nonvoyi Poyon [residential district] Mosque in Kulob, which the other two men attended. A Judge could not explain what was "extremist" about the three men's alleged activity.

Rahmon's February 2022 speech also called for "serious measures against religious education without state permission", which the regime has banned (https://www.forum18.org/archive.php?article_id=2625) – including closing all madrassahs (Islamic religious schools). Rahmon claimed that "the number of cases of illegal religious education has increased lately, which can lead to serious consequences". He claimed that individuals had been punished for "teaching religion to 1,662 teenagers in 367 cases".

Rahmon also told local officials that "it is necessary that the law-enforcements agencies along with heads of the regional, district, and local (jamoat) administration must carry out preventive work among the youth (...), must take measures for educating the teenagers and youth in the spirit of patriotism, study of science, professions, good manners and morality, respect for and observing the law."

The regime also targets women who dress as they choose, including wearing hijab (https://www.forum18.org/archive.php?article_id=2761). "I don't want to stop wearing the hijab, so I try to avoid the police," one told Forum 18. Many Islamic rites and ceremonies are banned, including mourning customs. On 27 June police stopped Elobat Oghalykova for wearing a black dress to mark one of her sons' death, took her to a police station and tortured her. After she and her son made formal complaints, police threatened both with 15 days' jail.

Dushanbe Islamic bookshops and publishers closed

On 2 September, the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (https://www.forum18.org/archive.php?article_id=2625) (SCRA) announced that it had in late August and early September closed all Islamic bookshops in Dushanbe as well as some publishers which printed Islamic literature. It gave no details of the closures, but SCRA spokesperson Avshin Mukim stated that they were because of "illegal import of religious books by the bookshops without prior SCRA permission". Mukim also claimed that one of the publishers was closed for allegedly violating authors' rights.

SCRA Deputy Chair Farrukhullo Olimzoda, Deputy Head Khuseyn Shokirov, and the Deputy Head of the section responsible for work with religious communities Saidakhmad Saidjafarov all refused to discuss the closures with Forum 18 between 30 September and 3 October. Other officials, including SCRA Chair Sulaymon Davlatzoda, did not answer their phones when called.

The Linguattech centre for translation of religious texts in Dushanbe, which has worked on translating the Bible into modern Tajik, continues to operate.

Between August 2019 and January 2020, the SCRA fined leaders of four Protestant churches (https://www.forum18.org/archive.php?article_id=2553) up to 22 times the average monthly collection of some churches, a local Protestant who wishes to remain anonymous for fear of state reprisals told Forum 18. "They were fined for arranging a translation of the Bible into modern Tajik". In autumn 2019 SCRA officials with police visited Linguattech to question the firm (https://www.forum18.org/archive.php?article_id=2553) about its activities and finances, and in February 2021 the NSC secret police summoned a Linguattech Director (https://www.forum18.org/archive.php?article_id=2642) "to make sure that everything is according to the law."

Increased fines for violating regime's religious censorship

The regime imposes compulsory state censorship linked to freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2625), applying it to all texts by people of all beliefs. Producing, distributing, importing or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship is illegal and punishable under Administrative Code Article 474-1.

December 2021 amendments to the Administrative Code (https://www.forum18.org/archive.php?article_id=2754) increased the fines for "illegal" production or distribution of religious literature under Article 474-1. Fines for individuals were generally doubled, but for legal organisations were increased about five-fold.

First "offences" by individuals under Article 474-1 are now punishable with a fine of 60 to 70 Financial Units (currently 3,840 to 4,480 Somonis); by officials a fine of 170 to 180 Financial Units (currently 10,880 to 11,520 Somonis); and for legal organisations a fine of 600 to 700 Financial Units (currently 38,400 to 44,800 Somonis). Goods and equipment used are also subject to confiscation. Repeat "offences" within a year of a punishment attract a fine about one half higher.

The government statistics agency put the average wage for those in formal work in August 2022 at 1,623 Somonis.

Crackdown on Ismailis

Muzaffar Davlatmirov (born 6 July 1963), an Ismaili religious leader, was jailed for 5 years (https://www.forum18.org/archive.php?article_id=2782) for alleged "public calls for extremist activity". "Davlatmirov is not an extremist, and did not call for 'extremist' activity," a local person who knows him told Forum 18.

"Davlatmirov was widely known and respected by the local Ismaili people," independent journalist Anora Sarkorova told Forum 18. She noted that he had criticised the regime's religious policies, and commented that the regime did not like the fact that Davlatmirov was respected in the region, and that he could influence people.

The regime has also closed all Ismaili prayer houses in the south-eastern Mountainous Badakhshan region and the Ismaili Education Centre in Khorugh (https://www.forum18.org/archive.php?article_id=2782). No official notification or reason was given – including from the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) - for the closures or how long they will last.

Intrusive questionnaires for non-Muslim religious communities

In late May, SCRA Chair Sulaymon Davlatzoda told Protestant leaders (https://www.forum18.org/archive.php?article_id=2754): "We will no longer register any new churches. We will keep the figure of registered churches unchanged from now on." He did not explain why. Davlatzoda also "openly warned us that under-18-year-olds cannot have freedom of religion or belief and participate in church activity, and no religious camps are allowed for them".

Without state registration, all exercise of freedom of religion or belief is illegal and punishable (https://www.forum18.org/archive.php?article_id=2625).

The regime punishes Muslims, Christians and Jehovah's Witnesses for all exercise of freedom of religion or belief without state permission (https://www.forum18.org/archive.php?article_id=2754), including by jailing prisoners of conscience (https://www.forum18.org/archive.php?article_id=2760).

From January 2019, SCRA officials demanded that non-Muslim religious communities complete intrusive questionnaires (https://www.forum18.org/archive.php?article_id=2625) which particularly focused on community finances. The compulsory annual reports were imposed following January 2018 Religion Law changes, but even before the changes the SCRA illegally demanded that religious communities had to complete a detailed SCRA questionnaire every year.

Muslims and a local human rights defender, who asked to remain anonymous for fear of state reprisals, told Forum 18 that they are not aware of mosques being sent such questionnaires. "All mosques are under total state control (https://www.forum18.org/archive.php?article_id=2625)," they observed on 17 October. "The SCRA collects all kinds of information from state-appointed imams, and so the regime does not need to insist that mosques complete such questionnaires."

After independent imam Sirojiddin Abdurahmonov was jailed in February 2021 for five and a half years, along with an unknown number of others, one human rights defender suggested (https://www.forum18.org/archive.php?article_id=2642) that "the main purpose of arresting Imam Abdurahmanov was to allow only state-appointed and approved imams to speak publicly. Most independent imams are now afraid to speak publicly. The regime is struggling for the hearts and minds of people."

In August 2022, the SCRA sent all officially-registered non-Muslim religious communities a 28 July letter requiring that religious

community employees complete two attached detailed questionnaires. Only officially registered religious communities are allowed to exist (https://www.forum18.org/archive.php?article_id=2642). The questionnaires must be completed every year, SCRA Deputy Chair Jaloliddin Piriyeu stated.

The first questionnaire requires each non-Muslim religious community to supply full details of all employees and their families. The details required include:

- full name of the employee;
- date and place of employees' birth;
- both home and work addresses;
- marital status;
- ethnicity;
- which languages the employee knows;
- full details of education;
- full details of previous employment and experience;
- passport details;
- dates and purposes of all travel abroad;
- names and passport details of all family members.

The second questionnaire requires details of all financial support communities receive from foreign individuals or organisations, including:

- the name and registration number of the community;
- its legal address;
- the community's tax identification number;
- details of every transfer of funds from abroad;
- and full details of the purposes the funds were donated for, including the exact geographic location of all activities supported by the foreign funds.

A special note in the financial questionnaire states that all financial contributions must be declared to the SCRA within 10 days of being received, and this information must every time be accompanied by an updated copy of the completed financial questionnaire.

In contrast to the 2019 questionnaire (https://www.forum18.org/archive.php?article_id=2625), the 2022 questionnaires do not ask detailed questions about most financial expenditure. However, some religious communities observed that at meetings with the SCRA, "the SCRA still asks us to verbally tell them about giving to, for example, state-controlled charities". The SCRA also demands that religious communities should buy state-controlled newspapers and magazines.

Corruption is widespread in Tajikistan, and the country scores poorly in Transparency International's 2021 Corruption Perceptions Index at 150 out of 180 countries (<https://www.transparency.org/en/countries/tajikistan>).

One community member observed that there are many practical difficulties in providing the financial information the SCRA requires. "For example, we don't know who exactly has made cash contributions, or how much they gave. We're not going to ask everyone about this, and people will anyway not want to say how much they gave."

"A violation of our rights to freedom of religion and belief and to privacy"

Religious communities of various faiths, who wish to remain anonymous for fear of state reprisals, told Forum 18 in September and October that they do not like the questionnaires. One community member commented that "this is a violation of our rights to freedom of religion and belief and to privacy. Giving such detailed information about the financial support we receive is state

interference in our internal matters, and giving information on our family members is a gross violation of our privacy."

Another religious community member told Forum 18 that "we gave the financial report but refused to give information on our family members. Some others also refused to give family member information." Another religious community member stated that "they told the SCRA that they will not provide family member information as the Religion Law does not require this". No community was aware of any community being yet punished for this.

Some suggested to Forum 18 that the SCRA is collecting family member information for the National Security Committee (NSC) secret police "so that it will be easy to identify us and our family members if in future they decide to target us".

SCRA Deputy Chair Farrukhullo Olimzoda, Deputy Head Khuseyn Shokirov, and the Deputy Head of the section responsible for work with religious communities Saidakhmad Saidjafarov all refused to discuss the questionnaires with Forum 18 between 30 September and 3 October. Other officials, including SCRA Chair Sulaymon Davlatzoda, did not answer their phones when called.

UN Human Rights Committee finds ban on Jehovah's Witnesses unlawful

In 2007 the regime banned Jehovah's Witnesses (https://www.forum18.org/archive.php?article_id=2625).

On 7 September 2022, the United Nations (UN) Human Rights Committee published a View (CCPR/C/135/D/2483/2014 (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2f135%2fD%2f2483%2f2014&Lang=en)) that "none of the reasons put forward by the State party's authorities and courts" for banning Jehovah's Witnesses and refusing them re-registration are lawful under Article 18 ("Freedom of thought, conscience and religion") of the International Covenant on Civil and Political Rights. The Human Rights Committee also found that the regime was also violating Jehovah's Witnesses' human rights under Article 22 ("Freedom of Association").

The Human Rights Committee stated that Tajikistan must re-register Jehovah's Witnesses, provide "adequate compensation" to those who complained, and "take all steps necessary to prevent similar violations from occurring in the future". Within 180 days of 7 September, Tajikistan was asked to give the Committee "information about the measures taken to give effect to the Committee's Views". Tajikistan was also asked to "publish the present Views and to have them widely disseminated in the official languages of the State party".

Sodik Shonazarov, Senior Advisor of the Legal Policy Section of the Presidential Administration, refused on 7 October to explain to Forum 18 what the regime would do (if anything) to implement the Human Rights Commission's decisions.

SCRA Deputy Chair Farrukhullo Olimzoda, Deputy Head Khuseyn Shokirov, and the Deputy Head of the section responsible for work with religious communities Saidakhmad Saidjafarov all refused between 30 September and 3 October to discuss the Human Rights Committee's decision that, among other things, Jehovah's Witnesses must be reregistered. Other officials, including SCRA Chair Sulaymon Davlatzoda, did not answer their phones when called. (END)

Full reports on freedom of thought, conscience and belief in Tajikistan (<https://www.forum18.org/archive.php?country=31>)

For more background, see Forum 18's Tajikistan religious freedom survey (https://www.forum18.org/archive.php?article_id=2625)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/archive.php?article_id=1351)

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