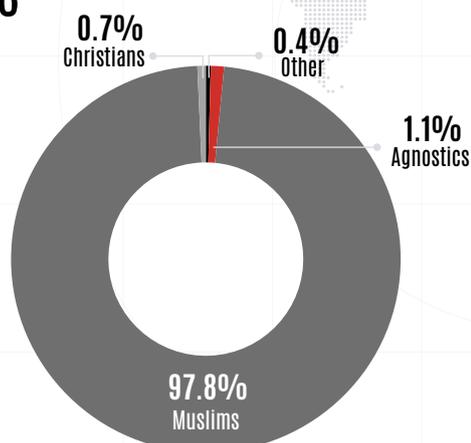




TAJKIKISTAN

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Constitution of Tajikistan recognises the right to religious freedom (Article 26).¹ However, a 2009 law restricts freedom of conscience by criminalising unregistered religious activity, private religious education and proselytising. As a result, the legal context of religious freedom has considerably deteriorated.²

Under this law, the Hanafi school of jurisprudence is granted a “special status”, but specific limits are imposed on the number, size and location of mosques. The legislation also gives the state the power to appoint imams and control the content of sermons, as well as censor religious publications and imported religious literature.³ More legal obstacles to the exercise of religious freedom were introduced with a 2011 law on parental responsibility that banned minors under 18 from taking part in organised religious activities, except funerals.⁴

In July 2019, the upper house of Tajikistan’s parliament amended the census law, introducing a question on re-

ligious affiliation.⁵

In January 2020, following amendments to the administrative code, the penalties for participating and financing illegal public or religious associations were increased, with fines quadrupled, which can rise 14 times if people are involved in such activities.⁶

INCIDENTS AND DEVELOPMENTS

Traditional Christian communities operate without too much state interference. The Catholic Church has about 100 members, in two parishes, in Dushanbe and Qurğonteppa. In addition to providing pastoral care, the Church undertakes projects through Caritas aimed at helping the most disadvantaged.⁷

The same cannot be said for non-traditional communities, which are active in evangelisation and live under constant pressure from the authorities. This is particularly true for Jehovah’s Witnesses, who were banned in 2007. In Dushanbe and Khujand, about 40 members of the community were taken into custody between October 2018 and March 2019 and questioned for up to 14 hours.⁸

One of the Jehovah's Witnesses held in Khujand was Shamil Khakimov. After five months of detention, the 68-year-old man was convicted in September 2019 for inciting religious hatred, based on analysis of the religious texts found in his flat. He was sentenced to seven and a half years, confirmed on appeal, in a maximum-security prison.⁹

Jovidon Bobojonov, another Jehovah's Witness, was sentenced to two years in prison in April 2020 for refusing to do his military service. In October 2019 he was forced to take an oath of allegiance and, because he refused to wear a uniform, he was violently attacked by fellow soldiers.¹⁰

Tight control over the distribution of religious literature led to the confiscation of 5,000 Christian calendars in December 2018, seized at Dushanbe International Airport and subsequently burnt because they contained "propaganda of an alien religion". The Baptist Church that placed the order was fined 4,000 somoni (about US\$420, or a four-month average salary in Tajikistan).¹¹ Between August 2019 and January 2020, the leaders of four Protestant churches were each fined 7,000 to 11,000 somoni (US\$735 to US\$1,160) for trying to get the Bible translated into modern Tajik.¹²

The government has maintained strict control over the Muslim clergy and Islamic practices. An edict issued by the Ulema Council that prohibits women from praying in Hanafi Sunni mosques continues to be in force. About 2,000 mosques have been closed in the last three years. In 2018, the government closed 56 mosques in Isfara and 67 in Bobojon Ghafurov District.¹³ In 2019, the only madrassa in the Khovalinsk Region was turned into a music school¹⁴ and Khujand's large Nuri Islom mosque became a cinema.¹⁵

But, in what would represent a U-turn, a commission established in February 2019 to evaluate the possible reopening of mosques, indicated that some 594 could resume activities.¹⁶

Bearded men and women wearing hijabs continued to raise suspicions. Although these signs of Islamic devotion are not expressly forbidden, they are still strongly discouraged. In January 2019, for example, some government officials refused the release of passports of bearded applicants.¹⁷ In December, a Muslim woman, Nilufar Rajabova, was insulted and threatened because she and 20 other women wore hijabs at a police station

in Dushanbe. Rajabova was fined US\$56 for hooliganism.¹⁸

A number of major terrorist attacks, claimed by or linked to the Islamic State group, like the killing of four foreign cyclists and two violent prison riots,¹⁹ have provided the government with more arguments to justify taking coercive actions against forms of Islam not authorised by the state, in the name of national security and the fight against terrorism. Scores of people were arrested between 2018 and 2019 on suspicion of being linked to extremist groups, despite denials stating all they were doing was simply disagreeing with the president's policies.

Speaking before Parliament in March 2020, Tajik Chief Prosecutor Yusuf Rahmon said that 154 alleged members of the Muslim Brotherhood had been arrested over the past year, including about 20 university professors.²⁰

During the same period, criminal proceedings were initiated against 314 people suspected of being members of the aforementioned group.²¹ In April 2020, Daler Sharipov, a journalist who frequently criticised the government's policies on human rights and religious freedom, was sentenced to one year in prison for inciting religious hatred.²²

PROSPECTS FOR RELIGIOUS FREEDOM

Tajikistan, the poorest country in Central Asia, has been dominated by President Emomali Rahmon since 1992, amid a generalized lack of respect for civil liberties, including religious freedom. Since 2016, Tajikistan has been designated a "Country of Particular Concern" under the US International Religious Freedom Act.²³ Respect for religious freedom is not expected to improve in the short run for those considered "non-traditional" religions under the current level of control exerted on almost all expressions of religiosity.

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