

TAJIKISTAN

The religious freedom situation in Tajikistan has deteriorated sharply over the past several years. Tajikistan is a weak state with a highly corrupt government that suppresses and punishes all religious activity independent of state control. The government's restrictions on the freedom of religion or belief primarily affect the country's majority Muslim community, but also target minority communities, particularly Protestants and Jehovah's Witnesses. In recent years, the Tajik government has destroyed a synagogue, a church, and three mosques, and shut down hundreds of mosques around the country. Based on these concerns, USCIRF recommends for the first time in 2012 that Tajikistan be designated as a "country of particular concern," or CPC, under the 1998 International Religious Freedom Act (IRFA). Tajikistan has been on USCIRF's Watch List since 2009.

Background

Tajikistan was the only former Soviet republic to experience a civil war (1992-1997), pitting former Communists against democratic and Islamic political parties. After 1997, repercussions from the conflict and security concerns have influenced official positions and policies on religious freedom. Muslims are subject to particularly harsh official restrictions: authorities monitor mosques for possible extremist and anti-government views and limit public wearing of Muslim religious dress. The Tajik government also sets official controls on Islamic clergy, including on their sermons, and quotas on the number of mosques in any given area.

Religious Freedom Conditions

The government of Tajikistan enforces laws that curtail the freedom of religion or belief, especially for Muslims but also for minority religious communities.

The Tajik Religion Law: The 2009 Tajik religion law criminalizes unregistered religious activity, private religious education, and proselytism; sets strict limits on the number of mosques as well their size; allows government interference with the appointment of imams; requires official permission for religious organizations to provide religious instruction and communicate with foreign co-religionists; and imposes strict state controls on the publication and importation of religious literature. The 2009 law also prohibits private religious education, and requires state permission to conduct religious instruction and that both parents provide written permission for a child to receive such instruction. In addition, Tajikistan's 2007 Law on Observing National Traditions and Rituals restricts how individuals can conduct private celebrations, allegedly to protect individuals from spending too much money. Authorities deem unregistered religious activity to be illegal, with penalties including the forced closure of houses of worship. In order to maintain registration, religious groups must provide burdensome and intrusive data, such as specifying all activities in their charters and reporting annually on their activities.

New Legal Restrictions: In 2011, administrative provisions added new penalties, including large fines, for religion-related offenses. The Tajik parliament also amended the criminal code and set maximum two-year prison terms for organizers and participants in "unapproved gatherings, meetings, demonstrations, pickets and street processions," which could include religious meetings. Another new criminal code provision punished the "organization of a religious extremist study group and participation in it without regard to the place of study;" alleged participants face prison terms of up to eight years; organizers face eight to 12-year terms. A controversial 2011 parental responsibility law bars minors from any organized religious activity except those that take place in official religious institutions.

Restrictions on Muslims: Tajik officials monitor mosques and their adherents for possible extremist and anti-government views; place restrictions on Muslim religious dress; control the age and the numbers of *hajj* (religious pilgrimage) participants; and indirectly control the selection and retention of imams and the content of their sermons. The government prohibits women from attending mosques or wearing headscarves in educational institutions, and bans teachers from wearing beards in public buildings. In May 2010, the Tajik Interior Ministry launched "Operation Madrassah" under which police raided the sites of "illegal" (unregistered) private Qu'aran lessons. In 2010, Tajik courts jailed at least 59 people for terms of three to eight years, and fined at least 33 others for alleged membership in *Tabligh Jamaat*, an Islamic missionary group, which according to the State Department is nonviolent. The Tajik government recently closed dozens of unregistered mosques and prayer rooms, and ordered the demolition of three unregistered mosques in Dushanbe, the country's capital city.

Restrictions on Religious Minorities: In 2007, the Tajik government banned Jehovah's Witnesses for allegedly causing "discontent" among the people, maintaining their conscientious objection to military service, and refusing to allow blood transfusions. In 2008, the authorities temporarily halted the activity of the Ahoy Church and the Abundant Life Christian Center, two Protestant churches in Dushanbe. Authorities allowed the Ahoy Church to resume its activity in late 2008, but the Abundant Life Christian Center decided to close. Also in 2008, the nation's only synagogue, located in Dushanbe, was bulldozed. The Dushanbe Jewish community later received a building, (donated by Tajik President Rakhmon's brother-in-law, who is also one of Tajikistan's richest bankers) which is now being used for worship services.

Restrictions on Religious Literature and Education: The government must approve the production, importation, export, sale, and distribution of religious materials by registered religious groups. These rules effectively ban religious groups that are not part of a registered religious organization from private or commercial publishing. The Ministry of Culture has confiscated religious literature it deems inappropriate, including from Jehovah's Witnesses. A state license is required to conduct religious instruction, and both parents must give written permission for children to receive instruction. Local mosques are not permitted to set up educational groups; only central mosques are allowed to do so.

Recommendations for U.S. Policy

Tajikistan is strategically important for the United States due to its long and porous border with Afghanistan to the south and the key role ethnic Tajiks play in that country. USCIRF recommends that the U.S. government designate Tajikistan a CPC and engage the Tajik government about the need to enact specific reforms. Based on these concerns, the U.S. government also should:

- Press Tajik officials and work with civil society to bring the 2009 religion law and other relevant laws into conformity with international commitments, including those on freedom of religion or belief , and criticize publicly violations by the Tajik government of its international human rights commitments, including those of the Organization for Security and Cooperation in Europe (OSCE);
- Continue to monitor the trials of those charged on account of their religious affiliation, and work with the international community to provide training for the judiciary in civil law and human rights standards; and
- Ensure that U.S. assistance to the Tajik government, with the exception of aid to improve humanitarian conditions and advance human rights, be contingent upon establishing and implementing a timetable for specific steps for the Tajik government to undertake to reform the religion law and improve conditions of freedom of religion or belief.

Please see USCIRF's 2012 Annual Report for a more extensive review and recommendations on Tajikistan.