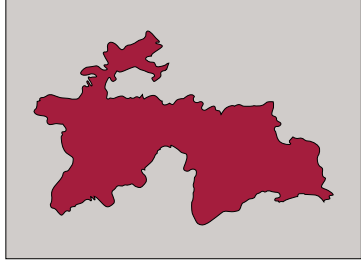


**TAJKISTAN**



# TAJIKISTAN

## Key Findings

The government of Tajikistan suppresses and punishes all religious activity independent of state control, particularly the activities of Muslims, Protestants, and Jehovah's Witnesses. Since 2009, numerous laws that severely restrict religious freedom have been implemented in the country. The government also imprisons individuals on unfounded criminal allegations linked to Islamic religious activity and affiliation. In 2015, a Tajik court banned as "extremist" the Islamic Renaissance Party of Tajikistan, an opposition political party that had been legal for 15 years, and 200 of its leaders and members reportedly were imprisoned. Jehovah's Witnesses have been banned since 2007. Based on these concerns, as it has since 2012, USCIRF again recommends in 2016 that the U.S. government designate Tajikistan a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA).<sup>\*</sup> Previously, Tajikistan was on USCIRF's Tier 2 (formerly Watch List) from 2009 to 2011.

## Background

Tajikistan is an isolated and impoverished country that experienced in the 1990s a five-year civil war that resulted in as many as 100,000 deaths; the official post-war amnesty included many Tajik officials responsible for torture. The government is weak and highly corrupt, and 40 percent of the country's gross domestic product is from labor remittances, mostly from Russia. With the Russian economy's recent downturn, hundreds of thousands of Tajik workers have returned home to few job prospects, giving rise to new social tensions.

Over 90 percent of Tajikistan's estimated population of 7.9 million is Muslim, most from the Hanafi school of Sunni Islam; about four percent are Ismaili Shi'a. Of the country's 150,000 Christians, most are

Russian Orthodox, but there are also Protestants and Roman Catholics. In addition, there are small numbers of Baha'is, Hare Krishnas, and Jehovah's Witnesses, and fewer than 300 Jews.

Tajikistan's legal environment for religious freedom has seen a sharp decline since the passage of several highly restrictive laws in 2009. The 2009 religion law sets onerous registration requirements for religious groups; criminalizes unregistered religious activity and private religious education and proselytism; sets strict limits on the number and size of mosques; allows state interference with the appointment of imams; requires official permission for religious organizations to provide religious instruction and communicate with foreign co-religionists; imposes state controls on the content, publication and importation of religious materials; and restricts Muslim prayer to mosques, cemeteries, homes, and shrines.

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In 2011 and 2012, administrative and penal code amendments set new penalties, including large fines and prison terms, for religion-related charges, such as organizing or participating in "unapproved" religious meetings. Alleged organizers of a "religious extremist study group" face eight-to-12-year prison terms. A 2011 law on parental responsibility banned minors from any organized religious activity except funerals. The State Department has noted that "Tajikistan is the only country in the world in which the law prohibits persons under the age of 18 from participating in public religious activities."

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<sup>\*</sup> On April 15, 2016, after this report was finalized, the State Department designated Tajikistan as a CPC for the first time.

Tajikistan's extremism law punishes extremist, terrorist, or revolutionary activities without requiring acts that involve violence or incitement to imminent violence. Trials under these charges lack due process and procedural safeguards. The Tajik government uses concerns over Islamist extremism to justify actions against individuals taking part in certain religious activities. According to the State Department, the Tajik government's list of groups banned as extremist includes non-violent religiously-linked groups such as Hizb ut-Tahrir, Jamaat Tabligh, the Muslim Brotherhood, and Group 24 (a Tajik political opposition group), along with such recognized terrorist groups as al-Qaeda, the Taliban, the Islamic Group (Islamic Community of Pakistan), the Islamic Movement of Eastern Turkestan, the Islamic Party of Turkestan (former Islamic Movement of Uzbekistan - IMU), and Lashkar-e-Tayba. In September 2015, the legal Islamic Renaissance Party of Tajikistan was added to that list

## **Religious Freedom Conditions 2015–2016**

### **Restrictions on Muslims**

The law restricts Muslim prayer to four locations: mosques, cemeteries, homes, and shrines. Tajik officials monitor mosques and attendees for views they deem extremist or critical of the government, place restrictions on Muslim religious dress, and limit the number and age of *hajj* (religious pilgrimage) participants; as of April 2015, no one under the age of 35 can take part. The official State Committee on Religious Affairs (SCRA) controls the selection and retention of imams and the content of sermons. Since 2014, the government has paid the salaries of imams of cathedral mosques; these are the only mosques where the state allows sermons (prepared in advance by the semi-official Council of Ulema.) President Emomali Rahmon also instructed the Council of Ulema to adopt a standard uniform for imams. The Tajik NGO Sharq Analytical Center reports such policies have widened the gap between official and unofficial Muslim clergy, leading to popular mistrust of Muslim institutions. In July 2015, an Interior Ministry official in Dushanbe warned mosque-goers during Friday prayers not to leave early, which he claimed was a sign of non-Hanafi Islam; three months later the SCRA prohibited Tajik state employees from attending early afternoon Friday prayers, the Asia-Plus news agency reported.

The law prohibits headscarves in educational institutions, and bans teachers younger than 50 from wearing beards in public buildings. In March 2015, President Rahmon condemned women wearing “uncharacteristic” dress; state television showed police stopping 10 women in headscarves, claiming they were prostitutes. Asia-Plus reported in January 2016 that Khatlon region law enforcement officials “encouraged” 6,673 women to stop wearing Islamic headscarves as part of a 2015 national campaign; throughout the country, hundreds of thousands of bearded men were detained by police, had their fingerprints taken, and were forced to shave.

Between 2004 and 2014, the Council of Ulema banned women from attending mosques. In 2014, it said it would allow women to attend mosques and female students at religious schools to become *imam-hatibs* (imams' assistants) to work with females at mosques with women-only sections.

### **Trials and Imprisonment of Muslims**

During 2015, Tajik law enforcement officials continued to prosecute dozens for their alleged links to banned Islamic groups or international terrorist networks. Due to Tajikistan's flawed judicial system, it is almost impossible to ascertain the accuracy of such charges.

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*[G]roup banned as extremist  
include[d] non-violent  
religious-linked groups. . . .*

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The government has expressed concern over the increasing number of Tajik officials who reportedly have become Salafis or Shi'a Muslims, and the Salafist movement has been banned as extremist since 2014. The Sharq Analytical Center reports that Salafism has become increasingly popular among the Tajik elite. The SCRA Deputy Head has called Salafis extremist because their discussions show that they are not in total agreement about Islam. Salafi Muslims now risk prosecution under three Criminal Code articles relating to extremism, with possible five to 12-year jail terms.

In February 2015, Tajikistan's Interior Minister claimed that 200 Tajik labor migrants in Russia had joined militants in Syria, RFE/RL reported, but others could not confirm that figure. General Gulmurod Khalimov, head of Tajikistan's Special Assignment Police Unit, said in a May 27, 2015 video that one reason he had defected to ISIL in Syria was due to increasing restrictions on religious freedom in Tajikistan.

### **IRPT Ban**

Until last year, Tajikistan had the only legal Islamist political party in the former Soviet Union, the Islamic Renaissance Party (IRPT), which was granted such status under the country's post-civil war peace settlement. Government repression of Islamic practice is often intertwined with official efforts to suppress the IRPT, which had called for respecting Tajikistan's secular constitution and international religious freedom commitments. In 2014, the IRPT backed a parliamentary initiative to allow children to attend mosque and in 2015 it was critical of an official campaign against beards and headscarves.

Hikmatulloh Saifullohzoda, Islamic scholar Zubaidullah Roziq, and many regional activists. They are denied access to doctors and lawyers. The day after Saidumar Husaini was jailed, the former parliamentarian told his defense lawyer that he had been tortured. Husaini's lawyer, Buzurgmehr Yorov, was also arrested. Jailed IRPT female lawyer Zarafo Rahmoni, has threatened suicide due to detention conditions. Amnesty International has expressed concern that the imprisoned IRPT activists are subjected to torture. In January 2016, three lawyers – two Turkish and one Russian – were expelled from Tajikistan after they sought access to imprisoned IRPT members. Relatives of IRPT members are threatened by the government; after the Tajik government learned in December 2015 that Muhiddin Kabiri would speak at a public event in Washington, DC, it detained 10 of his relatives, including his 95-year-old father. At least 1,000 IRPT members are reported to have fled the country; the Tajik government continues to press for their extradition. On February 9, 2016, the Tajik Supreme Court began closed hearings in the trial of 13 leading IRPT members accused of attempting to

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In late August 2015, the Tajik government ordered the IRPT to halt all activity. On September 17, the Prosecutor General accused the IRPT of instigating violence, including a September 4 attack on a police station in which 39 died. In late September, the Tajik Supreme Court banned the IRPT as “an extremist and terrorist organization” for its alleged role in that attack. IRPT Chair Muhiddin Kabiri – forced into foreign exile – asserts that the extremism charges against his party are false and politically motivated. The U.S. delegation to the Organization for Security and Cooperation in Europe (OSCE) has said that it has “seen no credible evidence that the IRPT as an organization was involved with the attacks in Dushanbe and surrounding towns.”

Some 200 IRPT members reportedly have been imprisoned, including former parliamentarian Saidumar Husaini, Deputy Chair Mahmatali Hait, journalist

overthrow the government, including Mahmatali Hait and Zarafo Rahmoni.

### **Status of Houses of Worship**

Tajik law sets strict limits on the numbers of mosques permitted. Since 2008, the government has closed hundreds of unregistered mosques and prayer rooms and demolished three unregistered mosques in Dushanbe. The nation's only synagogue, located in Dushanbe, was bulldozed in 2008. The Jewish community later was allowed to worship in a building provided by President Rakhmon's brother-in-law, one of Tajikistan's richest bankers. In contrast, the Aga Khan Cultural Center, Central Asia's first Ismaili center, opened in Dushanbe in 2009, and Tajikistan announced that one of the world's largest mosques, funded by Qatar, will open in Dushanbe in 2017.

### **Restrictions on Religious Minorities**

Small Protestant and other groups cannot obtain legal status under onerous registration requirements, and Jehovah's Witnesses have been banned since 2007 for allegedly causing "discontent" and for conscientious objection to military service. Forum 18 reported on several relevant incidents: in July 2015, police in the Sogd region twice detained Jehovah's Witnesses and imposed administrative punishments. In January 2015, the SCRA threatened to punish various Protestant churches if they did not stop allowing children to worship.

### **Restrictions on Religious Literature**

The government must approve the production, import, export, sale, and distribution of religious texts by registered religious groups, in effect a ban on religious materials by unregistered religious groups. The Ministry of Culture has confiscated religious texts, including from Jehovah's Witnesses. In August 2015, the State Communications Agency ordered mobile phone operator Tcell to block several websites, including turajon.org, a California-based website operated by Nuriddinjon, Haji Akbar and Mahmudjon, sons of prominent deceased Sufi sheikh Mahamaddrafi Turajon. Two of the brothers publicly opposed the 2004 ban on women's mosque attendance; their website hosted a question and answer section on religion, a rare venue for women to seek religious rulings from male Muslim leaders.

### **Civil Society and Religious Issues**

Tajik civil society is subject to increasing official pressure, and Tajik non-governmental organizations are fearful of reporting on religious freedom conditions due to perceived dangers of government backlash. During 2015, there was an increase in the presidential personality cult. For example, in December 2015, Tajik lawmakers voted to give President Emomali Rahmon the title "Leader of the Nation" as "the founder of peace and national unity of Tajikistan" and grant him lifelong immunity from prosecution. In January 2016, a leading Muslim scholar reportedly proposed that Rahmon's wife be recognized as the leader of all Tajik women adherents of Islam.

### **U.S. Policy**

Tajikistan is strategically important for the United States, partly because Tajiks are the second largest ethnic group in Afghanistan, the country's southern neighbor. Since 2010, the United States has expanded cooperation with Central Asian states, including Tajikistan, to allow it to ship cargo overland via the Northern Distribution Network as U.S. and NATO troops in Afghanistan continue to withdraw. Tajikistan has given U.S. Special Operations Forces permission to enter the country on a case-by-case basis during counter-terrorism operations.

Since 2010, the United States and Tajikistan have discussed bilateral policy and economic assistance

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### **Restrictions on Religious Education**

A state license is required for religious instruction, and both parents must give written permission for such teaching. Only central mosques are allowed to set up educational groups. As of 2013, the activities of seven of the country's eight madrassahs were suspended, according to the State Department; only one madrassah operates in Tursonzade, near Dushanbe. The state-controlled Islamic University announced in mid-2015 that its madrassah was "temporarily suspended," but as of this writing it remains closed.

issues through an Annual Bilateral Consultation (ABC); the fifth U.S.-Tajikistan ABC was held in Washington DC in June 2015. The State Department's stated priorities in Tajikistan include increasing respect for the rights of Tajikistan's citizens and strengthening sovereignty and stability. The State Department's annual International Religious Freedom Reports have documented a deterioration of religious freedom in Tajikistan.

Since 1992, the U.S. government has provided over one billion dollars in assistance programs supporting economic growth, democratic institutions, healthcare,

education, and security. On democratic institutions, U.S. assistance promotes improved legislation relating to civil society, the media, and speech; legal assistance to non-governmental organizations; and stronger non-state electronic media outlets. On security, the focus has been countering violent extremism and illegal narcotics trafficking.

During 2015, Tajikistan hosted a series of high-level U.S. officials, mostly from the Department of Defense, including General Lloyd J. Austin III, Commander of U.S. Central Command (USCENTCOM). In September 2015, the U.S. Embassy in Dushanbe hosted the Exercise Regional Cooperation, the largest annual, multilateral USCENTCOM command-post exercise with Central and South Asia. U.S. Secretary of the Navy Ray Mabus visited Tajikistan in November 2015. Secretary of State John Kerry also visited Tajikistan in November. After meeting with President Rahmon, Secretary Kerry made a public statement noting Tajikistan's security and economic challenges and highlighted the need to fight violent extremism while respecting human rights, religious freedom, and active political participation.

## Recommendations

In addition to recommending that the U.S. government designate Tajikistan a CPC, USCIRF recommends that the U.S. government should:

- Press the Tajik government to bring the 2009 religion law and other relevant laws into conformity with international commitments, including those on freedom of religion or belief, and publicly criticize violations by the Tajik government of those commitments;
- Work with the international community, particularly during events on countering terrorism sponsored by the OSCE, to ensure there is private and public criticism of Tajikistan's repressive approach to regulating religion and countering extremism, including its risk of radicalizing the country's population;
- Urge the Tajik government to permit visits by the UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture, set specific visit dates, and provide the full and necessary conditions for such visits;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations;
- Ensure that the U.S. Embassy in Dushanbe continues to monitor the trials of individuals charged on account of their religious activities or affiliations, maintains appropriate contacts with human rights activists, and presses the Tajik government to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer; 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 the government establishing and implementing a timetable of specific steps to reform the religion law and improve conditions of freedom of religion or belief.