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TAJIKISTAN: Jehovah's Witnesses banned

By Felix Corley, Forum 18

Tajikistan's Jehovah Witnesses have been banned throughout the entire country, Forum 18 News Service has learnt. Culture Ministry officials handed the community a banning order stripping it of legal status and "just said we were banned and should stop all our activity. They didn't say much," Jehovah's Witnesses told Forum 18. Commenting on the ban, which Forum 18 has seen, a Culture Ministry official stated that the authorities' main complaint was that Jehovah's Witnesses refuse military service. "There is no alternative service in Tajikistan yet, so everyone ought to obey Tajik laws," he told Forum 18. The official then added that they also propagate their faith in public places, "which directly contradicts the Law". The ban follows a check-up by Prosecutor's Office and Religious Affairs officials on all Tajik religious communities. It is not known if the ban is related to the check-up, which resulted in some mosques being closed. Jehovah's Witnesses intend to appeal against the ban.

Tajikistan's Jehovah's Witnesses have reacted with concern to the decision by the Ministry of Culture to strip them of their legal status and to ban their activity across the entire country. "Our people were summoned to the Culture Ministry yesterday [17 October] and were handed this document, although the ban was dated 11 October," Jehovah's Witnesses told Forum 18 on 18 October. "Officials just said we were banned and should stop all our activity. They didn't say much. It is very serious to ban us across the whole country. We didn't expect this."

Forum 18 tried to reach Bobodjon Bobokhonov, Tajikistan's Prosecutor General, on 18 October. The official who answered his phone took Forum 18's details. After consulting her boss she then instructed Forum 18 to call back in 20 minutes. When Forum 18 called back the man who answered said he could not hear well and put the phone down. Subsequent calls failed to reach Bobokhonov.

Saidbek Mahmudolloev, the head of the Information Department at the Culture Ministry's Religious Affairs Department, said the authorities' major discontent with the Jehovah's Witnesses is the point in their Charter about refusing service in the armed forces. "There is no alternative service in Tajikistan yet, so everyone ought to obey Tajik laws," he told Forum 18 from Dushanbe on 18 October. Forum 18 pointed out provisions in international human rights covenants respecting the right to conduct alternative, non-combat service, to which Mahmudolloev responded: "Well, they have other violations as well." He complained that they also propagate their faith in public places, "which directly contradicts the law". "The ban is final, though they have the right to complain to a court about the legitimacy of our decision."

Mahbuba Nuriddinova, who chairs the Social Issues Committee of Parliament, told Forum 18 said she was not informed about the ban. Asked whether the fact that an organisation does not want its members to serve in the armed forces was enough to close it down, she said everyone ought to respect Tajik laws. Reminded of Tajikistan's international human rights obligations, she responded: "I don't want to have a debate with you over the phone. Let the Jehovah's Witnesses write to us and we can then see what we can do about this situation."

The Jehovah's Witnesses told Forum 18 that they will be writing to President Emomali Rahmon and Prime Minister Okil Okilov to challenge the ban. They state that they meet to study the Bible and preach in all countries, regardless of whether they have legal status or not. "Our people will be watching to see how aggressively the authorities try to impose this ban. We don't know if the security police will begin to break up meetings. But the Constitution guarantees the freedom to meet with others and to share your views."

The Jehovah's Witnesses stress though that lack of legal status will make it difficult to rent premises for worship, run bank accounts and invite foreigners for religious purposes.

A lawyer who works with religious organisations told Forum 18 that Prosecutor's Office and Religious Affairs officials conducted a check-up of every religious community across Tajikistan over a six-month period earlier in 2007. "Religious leaders were invited to their local prosecutor's office and had to present lists of all adult members and all children who attend regularly," the lawyer told Forum 18 from Dushanbe on 18 October. "They had to produce details of all the community's activity, as well as documentation on taxes and even certificates of land use for their places of worship." The lawyer said many mosques were closed down in the wake of the check-up. It is not known if the ban on the Jehovah's Witnesses is related to the check-up, and no other faith is known to have

faced problems as a result of the check-up.

Life for religious communities of all faiths in Tajikistan has become steadily more difficult in recent years. Plans are underway to replace the existing make the Religion Law with a harsher Law, which has aroused concern among many faiths. Unapproved mosques were demolished or closed down in the capital Dushanbe during the summer, while Christian churches and the city's synagogue are under threat amid redevelopment plans (see F18News 10 October 2007 http://www.forum18.org/Archive.php?article_id=1032).

The two-page banning order on the Jehovah's Witnesses, of which Forum 18 has received a copy, was numbered 11/3 and signed by Minister of Culture Mirzoshorukh Asrori. It notes that the Ministry took the decision on the basis of an order to ban the community by the Prosecutor General.

The Ministry claimed that the registration of the Jehovah's Witnesses by the then Religious Affairs Committee in January 1997 had been in violation of the Article 3 of the Religion Law, though it did not specify why. It said that Jehovah's Witness activity violated the country's Constitution as well as the Religion Law.

Article 3 of the 1994 Religion Law then in force speaks of the right of citizens to profess their faith freely and to bring up their children with the attitude to religion they deem appropriate, bans the use of force in matters of religion and restricts religious activity only when it harms national security, health and morals.

"The religious organisation of Jehovah's Witnesses carried out its activity in violation of Republic of Tajikistan legislation by distributing in public places and at the homes of citizens, i.e. among members and followers of other religions, propagandistic books on their religion, which has become a cause of discontent on the part of the people," the order declares. "Many complaints have been received concerning the illegal activity of the religious organisation of Jehovah's Witnesses by the Religious Affairs Committee of the Government of the Republic of Tajikistan, the Ministry of Culture, and the law-enforcement agencies of the country."

Because the Jehovah's Witnesses "regularly committed violations", the order said they had been warned in writing by the then Religious Affairs Committee in October 2000. They were also ordered to bring Article 2.2 of their Statute, which spoke of their practice of spreading their faith, "to bring it into line" with the law. The order said that for "propagandising in public places and at the homes of citizens" the Jehovah's Witnesses were banned for three months in September 2002.

The Ministry ordered that the law-enforcement agencies be informed of the ban. It appointed Deputy Culture Minister Murodullo Davlyatov – until recently the head of the Religious Affairs Committee – to oversee the implementation of the ban.

The Jehovah's Witnesses question why the authorities have suddenly decided to regard the 1997 registration by the Justice Ministry as "illegal". "How could there have been a mistake when the Statute was considered by the Justice Ministry before being approved so long ago?"

The Jehovah's Witnesses say they have about 600 adherents in eight congregations in Tajikistan. They point out the irony that in early October, a few days before the ban was approved, their congregation in the town of Tursunzade [Tursunzoda] west of Dushanbe close to the border with Uzbekistan received approval to use their newly-built Kingdom Hall. This is the only place of worship the Jehovah's Witnesses own in the country. In the capital Dushanbe, where most of their members are based and where they have had registration since 1994, they rent premises for meetings.

The Jehovah's Witnesses complain that a "sudden change" in April 2007 saw the authorities beginning to obstruct their shipments of religious literature from abroad. That month the National Security Committee (NSC) secret police banned the release of a shipment from customs without giving a reason. An NSC officer told the Jehovah's Witnesses in May that the shipment would be destroyed. The Jehovah's Witnesses tried to challenge the ban in court, but have been court up in successive hearings over which court has jurisdiction. A second shipment which arrived subsequently was also banned from being released by customs.

Payam Foroughi, Human Dimension Officer of the Organisation for Security and Co-operation (OSCE) Centre in Dushanbe told Forum 18 on 18 October that "OSCE member States have committed themselves to non-discrimination on the issue of Freedom of Thought, Conscience, Religion, or Belief for all within their territory, without distinction as to race, gender, language or religion." The OSCE Centre "hopes that the ban on the Jehovah's Witnesses can be amicably resolved."

Foroughi added that "OSCE participating States, including Tajikistan, can only benefit from the existence of a diverse representation of religious beliefs, whether of Islamic, Christian, or other faiths."

The Jehovah's Witnesses note that in neighbouring Uzbekistan almost all their communities are now illegal, while the last remaining registered community – in Chirchik near Tashkent – is threatened with removal of its legal status (see F18News 21 August 2007 http://www.forum18.org/Archive.php?article_id=1009). None of their communities in Turkmenistan are officially allowed to function because – like many communities of other faiths - they have not been able to gain legal status since 1997 (see F18News 20 July 2007 http://www.forum18.org/Archive.php?article_id=997).

However, of all the former Soviet republics, only in the breakaway republic of Abkhazia on the Black Sea have the Jehovah's Witnesses specifically been banned (see F18News 7 April 2004 http://www.forum18.org/Archive.php?article_id=308). "We were officially banned in Abkhazia in 1995 and technically that continues, but the ban isn't really enforced as it used to be," Jehovah's Witnesses told Forum 18. "Our people are generally not touched now." (END)

More coverage of freedom of thought, conscience and belief in Tajikistan is at <http://www.forum18.org/Archive.php?query=&religion=all&country=31&results=50>

For more background see Forum 18's Tajikistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=190

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Tajikistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=tajiki>

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