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TAJIKISTAN: Trial imminent for arrested Pastor

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

The secret police's criminal case against Protestant Pastor Bakhrom Kholmatov reached court in Khujand on 22 June. Officials refuse to say what charges he faces. Officials threaten Baptists in Dushanbe with fines after raiding their worship. Officials again enforce the haj ban on under-40s.

Ten weeks after the National Security Committee (NSC) secret police arrested Protestant Pastor Bakhrom Kholmatov in the northern city of Khujand, his criminal case was handed to Khujand City Court on 22 June for trial. No date appears to have been set for the trial to begin. Officials refuse to reveal what charges the Pastor is facing.

Meanwhile, NSC secret police officers and others in the capital Dushanbe raided the Sunday worship meeting of the Council of Churches Baptists on 11 June. Officers seized religious literature and threatened to demolish the home where the Baptists were meeting (see below).

For the second year running, the State Committee for Religious Affairs (SCRA) is enforcing the state's ban on anyone under the age of 40 from participating in the haj pilgrimage to Mecca, which is due to begin in late August. It has turned away younger applicants for this year's pilgrimage. Officials have given contradictory reasons for the ban (see below).

The authorities have tried to stop young people from exercising the right to freedom of religion or belief. They have closed madrassahs (Islamic colleges). The 2011 Parental Responsibility Law bans "the encouragement of children to receive education in illegal schools and education institutions as well as from individual persons who do not have permission for such activity", requires parents "not to allow the education of adolescent children abroad without the permission of appropriate state agencies" and bans the participation of children and young people below the age of 18 in religious events apart from funerals (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=2138).

Khujand: Criminal trial imminent

The criminal trial of Pastor Bakhrom Kholmatov of Khujand's Sunmin Sunbogym (Good News of Grace) Protestant Church is expected to begin imminently. The case reached Khujand City Court on 22 June, the Chair of the Court Judge Mavjuda Sharifzoda told Forum 18 the same day.

"We have not yet decided who will lead the case or when we will hear it since it only arrived today," Judge Sharifzoda added. She declined to discuss the case or say what the charges against the Pastor are. The Court again on 28 June refused to tell Forum 18 what criminal charges Pastor Kholmatov is due to be tried under.

The NSC secret police in Khujand arrested Pastor Kholmatov on 10 April after raiding his church. Officers interrogated, beat and threatened church members. They also seized Christian literature. Officials claim songbooks and a book "More Than a Carpenter" are "extremist". The pastor was accused of "extremism" (see F18News 28 April 2017 http://www.forum18.org/archive.php?article_id=2276).

The NSC secret police, together with the SCRA and other state agencies, had raided Sunmin Sunbogym's affiliated congregations elsewhere in Sugd Region in early February. Officials closed down the congregation in the town of Konibodom in March after interrogating and beating church members (see F18News 28 April 2017 http://www.forum18.org/archive.php?article_id=2276).

Khujand: Mystery surrounds criminal charges

Khuseyn Shokirov, the SCRA's Head of the Department overseeing religious organisations and registration, on 21 June declined to discuss Pastor Kholmatov's case. "Neither the state authorities nor the Church addressed us about the case," he claimed to Forum 18 from Dushanbe on 21 June. "I cannot comment."

Mukhsin Mirkamolov, the official of Khujand City Administration overseeing religious organisations, in contrast to the extremism

charges, claimed to Forum 18 on 20 June that it "is not an issue of violation of the Religion Law." He hinted that the charges against Pastor Kholmatov may be related to the Church's economic activities. "Inside the Church there are not only religious issues, but business and other issues," he said.

However, Mirkamolov refused to answer Forum 18's questions whether the Pastor is being accused of economic crimes and what exact charges he faces. "Do not worry, the authorities are investigating it, and they will give a proper evaluation." He did not wish to talk further and asked Forum 18 to send questions in writing to the City Administration.

On 20 June Forum 18 asked Khujand City Administration in writing why the NSC secret police arrested and has held Pastor Kholmatov in custody for more than two months, and what the charges against him are. Forum 18 received no response by the middle of the working day in Khujand on 29 June.

Members of the Sonmin Church built a modern hospital in the city of Buston (formerly Chkalovsk) in Sugd Region, operated gyms teaching taekwondo and ran a Christian secondary school. There were rumours in the past that some officials desired to expropriate enterprises linked to the Church.

The Church has also drawn attention to itself because of its missionary activity. The authorities tried to close it down in 2005 because of this (see F18News 12 May 2005 http://www.forum18.org/archive.php?article_id=559).

Khujand: Secrecy surrounds investigation and custody conditions

"Pastor Kholmatov's family and Church members don't know what the NSC secret police is doing with him," Protestants from Sugd Region who are closely following the situation and who, for fear of state reprisals, asked not to give their names, complained to Forum 18 in April. They said they had had no news of Pastor Kholmatov's physical conditions or state of health since his arrest (see F18News 28 April 2017 http://www.forum18.org/archive.php?article_id=2276).

No Church members wished to talk to Forum 18 on Pastor Kholmatov's case between April and June. Sugd regional authorities also tried not to give Forum 18 any specific details of the case in the same period.

Dushanbe: Worship meeting raided, demolition threat

Authorities in Dushanbe raided the Sunday worship meeting of the Council of Churches Baptists on 11 June. Twelve officers of various state agencies, led by NSC secret police Lieutenant Alijon Khojayev, "disrupted our worship", Baptists complained to Forum 18 on 20 June. "Officers refused to show their identification documents, and immediately began filming all the worshippers on a video camera."

Officers did not allow anyone to leave the meeting hall. They wrote down personal details of the worshippers and confiscated their Bibles and other religious books. "Some officials literally pulled the books out of the hands of the believers," Baptists complained to Forum 18. Police also confiscated 312 books and magazines from the Church library.

Police then conducted a search without a warrant in the private flat of Church member Andrei Chumachenko. The flat is located inside the house where the worship took place. Officers confiscated nine books and 51 audio discs from his flat.

"Lieutenant Khojayev threatened me that they will demolish my house," Chumachenko complained to Forum 18 on 20 June. "Other officers also threatened our believers with criminal prosecution."

Council of Churches Baptists choose to meet for worship without seeking the compulsory state registration. They point to their rights to freedom of religion or belief guaranteed in Tajikistan's Constitution and the country's international human rights commitments.

Dushanbe: SCRA summons, warns Baptists

Later on Sunday 11 June, the SCRA summoned the Church's Pastor Pyotr Plett, Chumachenko and three other Church members from one family – the brothers Viktor and Valter Gibko, and Viktor's son Vilgelm. SCRA officials "demanded that they pay a fine for unregistered religious activity as well as to stop their religious activity".

When the Baptists told the SCRA officials that they will "not pay a fine because we do not consider that we are guilty of anything, they warned us that they will refer the case to the Prosecutor's Office," Pastor Plett told Forum 18 from Dushanbe on 20 June.

SCRA officials summoned the Church members again on 20 June, Chumachenko told Forum 18. Khuseyn Shokirov, the Head of the SCRA's Department overseeing religious organisations and registration, told them that "each participant in the 11 June worship meeting will be fined".

"We told the authorities that under the Constitution, the state and religion are separated," Pastor Plett told Forum 18. "We have no demands on the state and do not want to establish a registered organisation. We have the Constitutional guarantees of freedom of religion. We want to freely practice our faith."

Dushanbe's Somoni District Court banned the Baptist Church in October 2009 because it met without the compulsory state registration. The ban came weeks after a raid on the Church (see F18News 2 December 2009 http://www.forum18.org/archive.php?article_id=1381).

Shokirov of the SCRA pointed to the court ban on the Church. "The Baptists can only continue with their worship meetings after they officially register," he told Forum 18 from Dushanbe on 21 June.

Told that it is against the principles of the Council of Churches Baptists to register with the state and thus be regulated by it, Shokirov responded: "We won't allow them to continue without registration. They must register." Asked what further steps the authorities will take if the Baptists continue to exercise their right to freedom of religion or belief without registering, he refused to say.

Asked whether the authorities will demolish Chumachenko's home as NSC officer Khojayev threatened, Shokirov replied: "I was not there during the check-up, and cannot speak for the officials who were there. I can only say a private house cannot be demolished."

Asked whether he does not think the authorities' pressure on the Baptists to force them to register violates their freedom of religion or belief guaranteed by Tajikistan's Constitution and international norms, Shokirov claimed: "The Religion Law corresponds to the Constitution and international norms."

Told that the state and religion are separated according to the Constitution, and the Baptists do not want state interference in their exercise of the right to freedom of religion or belief, Shokirov insisted: "We do not interfere - we only want to register their activity."

Young men refused haj, elderly citizens abandoned haj

Tajikistan and Saudi Arabia agreed a quota of 6,000 pilgrims for the 2017 Muslim haj pilgrimage to Mecca, which is due to begin at the end of August. The SCRA controls all aspects of the pilgrimage (see below).

The SCRA has already rejected individuals who wished to be added to the list of approved pilgrims. "Tens of citizens under 40 wishing to make the pilgrimage this year could not get onto the official list," an unnamed SCRA official told Radio Free Europe's Tajik Service on 20 June.

The official added that the number of pilgrims in 2017 decreased both for economic reasons and because of the age limit the SCRA imposes. "Hundreds of elderly people, who cannot make it without the help of their sons, were forced to abandon the haj."

In 2009 the Tajik authorities imposed a lower age limit of 16 and an upper limit of 80 for applications for the haj. The lower limit was increased to 35 in April 2015, only to be increased to 40 in December 2015 with no explanation (see below).

At the SCRA both Press Secretary Afshin Mukim and Shokirov, the Head of the Department overseeing religious organisations and registration, adamantly defended the state control and restrictions on the haj. Both insisted to Forum 18 on 21 June that they "absolutely do not violate" religious freedom. Mukim refused to discuss this and other issues with Forum 18, referring it to Shokirov for comments.

Tajik Muslim applies for Russian citizenship to be able to go on haj

A Muslim from Sugd Region in his thirties, Jahongir (last name not given), was one such individual unable to gain approval to be included in the official list for this year's haj. He told Radio Free Europe that he worked in Russia for the last two years to collect money to be able to go to Mecca with his elderly mother. He complained that the SCRA's Sugd representative rejected his application.

"Two years ago they told me that I could only go when I am 35, but now they say I must be 40," he lamented to Radio Free Europe. "I worked hard for two years in Russia, and this is what I get now."

Jahongir said that his mother had to abandon the pilgrimage since she cannot make it without a helper. He said he would now apply for Russian citizenship in order to be able to accompany her on the haj.

Told that in Jahongir's case, his mother might die before they can make the pilgrimage, and asked whether he does not think the restriction deprives them both of their religious rights, Shokirov told Forum 18: "Everything is subject to Allah's will." Asked

whether he means that Tajikistan's authorities' decisions are Allah's will for its citizens, he did not answer.

2015 Decree and state control of haj

The Government Decree increasing the minimum age for applications for the haj from 35 to 40 was issued on 30 December 2015. It made any individual under 40 ineligible to make the pilgrimage.

The Decree established dual control over the haj pilgrimage for Tajikistan's citizens. The SCRA was commissioned to organise, carry out and regulate the pilgrimage, and a Board of specialists from various state agencies under the Prime Minister was commissioned to ensure control over the organisation of the haj.

Individuals wishing to make the haj must present the necessary documents, subject to the quotas fixed for various cities and regions, no less than three months before the date of the beginning of the pilgrimage, approved by the SCRA.

The SCRA was tasked to prepare a countrywide database of those wishing to make the pilgrimage and their turn on the waiting list based on their applications. Only individuals who have resided for at least one year at the location of their official residence registration can apply for the pilgrimage.

An individual who has made the pilgrimage once can go a second time only after five years, unless Tajikistan's haj quota is not filled.

Asked whether the age restriction and other state controls over the haj do not violate the religious freedoms of Muslims, Shokirov argued to Forum 18: "People under 40, especially men, must first learn to take care of their families financially and be mentally ready to undertake such a pilgrimage."

Asked what he means by "mentally ready", Shokirov responded: "We do not want these people to be influenced by radical religious movements while abroad." He did not say if the authorities do not trust their citizens to make their own right judgments about radical movements. (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>.

For more background see Forum 18's Tajikistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=2138.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY