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TAJIKISTAN: Communities' foreign contacts blocked, websites banned, Central Asia's only legal religious-based political party banned

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Several of Tajikistan's non-Muslim registered religious communities have told Forum 18 News Service that since early 2015 state officials have consistently rejected their requests to be allowed to invite fellow-believers from abroad to participate in religious events. The Orthodox Church was refused permission to invite two scholars from Uzbekistan to a July conference. Other religious communities asked Forum 18 not to name them for fear of state reprisals or to identify their would-be foreign guests. Officials have refused to explain the reasons for the ban, which appears to be part of a government desire to reduce religious communities' foreign contacts. The state has also blocked access to some websites, including one run by prominent Tajik Muslim scholars. Also, 10 Jehovah's Witnesses, including two women framed by a police agent provocateur, have been fined for "teaching religion unlawfully". And Central Asia's only legal religious-based political party, the Islamic Renaissance Party, has been banned and its senior party figures arrested.

Several non-Muslim religious communities which function with the compulsory state registration have told Forum 18 News Service that since early 2015 state officials have consistently rejected their requests to be allowed to invite fellow-believers from abroad to participate in religious events in Tajikistan. The Orthodox Church was refused permission to invite two scholars from Uzbekistan to a July conference. Other religious communities asked Forum 18 not to name them for fear of state reprisals or to identify their would-be foreign guests.

One religious leader, who also asked not to be identified, told Forum 18 that each time their community asked the State Committee for Religious Affairs (SCRA) in the capital Dushanbe to endorse their invitation for receiving a visa for the foreign individuals, they were refused. When they asked why, officials would only respond: "It is not appropriate."

The rejection of invitation requests for foreigners to visit appears to be part of a government desire to reduce religious communities' foreign contacts. All exercise of the right to freedom of religion or belief by both local citizens and foreigners in Tajikistan is subject to tight legal restrictions (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=1553). These restrictions appear to be tightening (see below).

SCRA officials in Dushanbe refused on 21 September to put Forum 18 through to SCRA Chair Sulaymon Davlatzoda, or to explain why it has been obstructing religious communities which wish to invite foreign citizens.

Meanwhile, among the websites the State Communications Agency ordered blocked indefinitely in August was one hosting the writings and sermons of the three Turajonzoda brothers, prominent Muslim scholars (see below).

Invitation restrictions

Members of various religious communities told Forum 18 that they must invite foreigners, even those who may want just to visit and not lead any religious activity, on an official invitation endorsed by the SCRA. "Otherwise the authorities may interpret even the presence of a foreigner in their midst as illegal religious activity," one person told Forum 18.

Muslim communities are officially allowed to exist only if they are part of the state-backed Muslim structure headed by the Council of Ulems (scholars) (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=1553). State control of Islam has been increasing in recent years (see F18News 3 March 2014 http://www.forum18.org/archive.php?article_id=1933). As the Islamic community is under state control, it can only invite foreigners if the state gives its approval.

Religious communities which do not want to gain state registration, which have been unable to gain state registration, or which have been banned are ineligible to invite foreigners at all.

Among religious communities which have been banned are the Jehovah's Witness community and the Tabligh Jamaat Muslim missionary movement (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=1553).

Two Orthodox scholars barred

Two Uzbekistani scholars of Russian ethnicity were denied visas by the Tajik authorities, Bishop Pitirim (Konstantin Tvorogov) of the Russian Orthodox Diocese of Dushanbe told Forum 18 on 21 September. The Church had invited them to Dushanbe to speak at a conference it had organised in July.

All Uzbek citizens except diplomats require visas to visit Tajikistan, according to the Tajik Foreign Ministry website.

"We were not told why they were denied visas but it could be some problem of visa regulations between Uzbekistan and Tajikistan," Bishop Pitirim told Forum 18 when asked the reason for the refusal. "We do not have any problems with Tajikistan's authorities," he stressed.

Sharipov (who did not give his first name) of the Consular Section of Tajikistan's Foreign Ministry told Forum 18 on 23 September that "Uzbekistan's citizens must receive visas for travelling to Tajikistan according to new regulations". Asked if the refusal to the Orthodox scholars from Uzbekistan came from the Foreign Ministry or the SCRA, he refused to say. "Please, send your further questions in writing." He then declined to talk to Forum 18.

A legal expert from Dushanbe (who asked not to be named for fear of state reprisals) pointed to the authorities' arrests of leaders of the recently-banned Islamic Renaissance Party (IRP) amid accusations that they had fomented unrest in Tajikistan (accusations IRP representatives deny). "It could be that the Government wants to make a point that it is being equally strict with Christians," the legal expert told Forum 18 on 21 September.

Others point out that non-governmental organisations also face tight restrictions over links with foreigners and foreign organisations.

Shovkat Mamedova of the Baha'i National Spiritual Assembly in Dushanbe said that she cannot comment on the visa refusals to other religious communities since they did "not invite any foreign guests this year". "I hope that we will be able to receive guests in the future if we want to invite any, since we have a good relationship with the authorities," she told Forum 18 on 21 September.

Catholics also did "not have problems" with inviting foreign guests to Tajikistan, Fr Pedro Lopez of the Catholic Mission in Dushanbe told Forum 18 on 21 September. All Tajikistan's Catholic priests are foreign citizens.

Controls on foreigners' exercise of the right to freedom of religion or belief

Article 4 of the 2009 Religion Law notes that foreigners have the right to "participate in religious rituals", but stresses that they bear responsibility if they violate the Religion Law (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=1553).

Article 24 of the Religion Law requires religious communities to gain permission from the SCRA for any "religious co-operation" with fellow-believers abroad.

Local citizens need special permission from the SCRA and the Education Ministry to undergo any religious education abroad, according to Article 8 of the Religion Law.

Moreover, the haj pilgrimage to Mecca – an obligation once in their lifetime for all able-bodied Muslims who can afford it – is under the control of the SCRA. The SCRA requires pilgrims to wear a state-provided uniform.

A SCRA official told a foreign visitor in 2013 that between 10 and 20 percent of the haj places were assigned to members of the National Security Committee (NSC) secret police. He did not explain if these were for Muslim employees who wished to fulfil a religious duty or so that state agencies could keep other pilgrims under surveillance.

The state has barred anyone under 35 or over 80 from going on the haj (see F18News 6 May 2015 http://www.forum18.org/archive.php?article_id=2060).

Punishments for foreigners or foreign contacts

The authorities introduced punishments in the 2008 Administrative Code – widened in July 2012 - to punish local and foreign religious believers and organisations for violating the restrictions (see F18News 28 August 2012 http://www.forum18.org/archive.php?article_id=1735).

"The administrative penalties introduced in 2012 were put in place to sever the ties of local believers with foreign believers," one member of a religious community (who did not want themselves or their community to be identified for fear of state reprisals) told Forum 18 on 22 September. "The authorities hope that in this way religious communities in the country will die out."

When the latest Administrative Code penalties were introduced in 2012, members of religious communities told Forum 18 in 2012 that the new penalties – like the harsher 2009 Religion Law and its 2011 amendments - violate their rights and religious freedoms. After new amendments to the Law "We feel like little children who need to ask permission for each step we are taking", one Protestant told Forum 18.

Asked in 2012 why believers need to ask for permission to have contacts with their foreign co-believers, then SCRA Deputy Head Mavlon Mukhtarov insisted to Forum 18: "It is because we want to stop religious extremism from spreading". However, one Protestant leader noted that "under the guise of suppressing religious extremism in Tajikistan, the authorities use crude methods". The changes in the laws "directly infringe the rights of religious minorities, in particular of Christians", one Protestant leader told Forum 18 (see F18News 28 August 2012 http://www.forum18.org/archive.php?article_id=1735).

While Administrative Code Article 474-4 prescribes punishments for local believers for initiating unapproved contacts with foreigners, Article 478 prescribes punishments for foreign religious believers and organisations for "illegal" ties with local believers and "illegal" religious activity. Article 474-2 punishes those who violate the procedure for receiving religious education abroad.

Article 474-4, introduced in July 2012, is entitled "International ties of religious organisations", despite this not being an offence in and of itself. However, the Article goes on to punish religious organisations' unapproved international ties. It punishes leaders of religious communities (which have lower-level recognition with local authorities) who establish international ties with fines of 30 to 40 Financial Indicators (FIs). It punishes leaders of registered religious organisations which establish international ties without SCRA approval with fines of between 50 and 100 FIs.

One Financial Indicator remained unchanged in the 2015 budget at 40 Somonis (about 55 Norwegian Kroner, 6 Euros or 6 US Dollars).

Article 478 – which was part of the original 2008 Administrative Code – punishes violation of the Religion Law by foreign religious organisations, foreign citizens and persons with no citizenship. This punishes religious activity by foreigners without registration with local administrations with fines for individuals of between 15 and 20 FIs plus deportation. Leaders of foreign religious organisations or their representations in Tajikistan face fines of between 30 and 40 FIs plus deportation. Foreign religious organizations or their representations face fines of between 200 and 300 FIs.

Also punishable with fines under Article 478 are violations of the Religion Law by foreign religious organisations, as well as "Systematic carrying out by a foreign religious organisation of activity outside the framework of its statute, as well as non-elimination by the religious organisation in the officially established timeframe of violations or deficiencies, which were the reasons of the suspension of their activity".

Article 474-2, introduced in July 2012, punishes with fines those who organise, arrange or undertake religious education abroad without the compulsory state permission.

Fined for "illegal religious teaching"

The SCRA fined ten Jehovah's Witnesses in the northern Sughd Region, Forum 18 has learned. Eight of them were fined for "teaching religion unlawfully in a private flat", while two – both of them women - were fined for discussing their faith on the street with an apparent police agent provocateur.

The fines on the eight followed an 18 July raid on a meeting for prayer and Bible study in a flat on the outskirts of Khujand [Khojand]. Cases were then opened under Administrative Code Article 474, Part 1. This punishes "violation of the Religion Law", including by conducting any religious activity (including giving religious teaching) without state permission or in locations not approved by the state. Police detained the two women on the streets of Khujand on 26 July and beat them while in detention (see F18News 29 July 2015 http://www.forum18.org/archive.php?article_id=2085).

Muslim website blocked

On 24 August, the State Communications Agency – the government agency that censors the internet - ordered Tajikistan's mobile phone operator Tcell to block several websites "for an unspecified period of time", TeliaSonera - the Swedish-Finnish telecom company which owns Tcell - noted on its website on 26 August. Other internet companies were given similar orders, local media reported.

One of the sites ordered blocked was turajon.org, a site run on behalf of three brothers who are Islamic scholars. The site – whose current version was launched in September 2012 – is hosted in California.

The three brothers - Nuriddinjon, Haji Akbar and Mahmudjon – are sons of a prominent Sufi sheikh Mahamaddrafi Turajon, who died in 2005. Nuriddinjon was an imam of a mosque in Vahdat, east of Dushanbe, which attracted thousands of worshippers to his sermons, some of which have been posted to the website. Haji Akbar, Chief Mufti in the early 1990s, was prominent with the IRP during the civil war (1992-7), but abandoned the party in 1997 and left the upper chamber of parliament in 2010. He remains active in business and often comments on religious affairs. Mahmudjon is a Muslim scholar.

Over 50 officials from the police, NSC secret police, Prosecutor's Office and the SCRA raided the Vahdat mosque (where two of the Turajonzoda brothers preached) during Friday prayers in December 2011. They accused the mosque leaders of marking a Shia Muslim commemoration, insisting that only Hanafi Sunni rituals should be observed. The two brothers were fined, while nine other mosque members were held for 10 days with no court hearing. The SCRA also removed the two brothers as the mosque's imams and downgraded its status (see F18News 6 February 2012 http://www.forum18.org/archive.php?article_id=1662).

The website turajon.org hosts a question and answer section where readers of the site can post questions on religious points to the brothers. As women have been barred from attending mosques by the Council of Ulems since 2004, this is one of the few places where they can seek religious rulings directly from male Muslim leaders, two academics Shahnoza Nozimova and Tim Epenhans observed in a 2013 article. Two of the three brothers publicly opposed the 2004 ban on women in mosques.

The other sites the State Communications Agency ordered blocked on 24 August were Facebook and YouTube (both of which the Agency regularly orders blocked), as well as nahzat.tj, the website of the opposition IRP, which would be banned just days later.

Islamic Renaissance Party ban

The Justice Ministry banned the IRP – which had been the only legal religious-based political party in Central Asia - on 28 August and gave the party ten days to halt all activities. The deadline was 7 September. Following the ban, more than 10 senior party figures were arrested, including spokesperson Hikmatullo Sayfullozoda. They are currently jailed as prisoners of conscience for their political opposition to the government.

Sermon texts sent to imams by the SCRA – which imams are supposed to read at Friday prayers in mosques – regularly criticised the IRP and backed the ruling government party. On 27 February, two days before parliamentary elections, the sermon text attacked the IRP, praised President Emomali Rahmon and his People's Democratic Party, and called on Muslims to vote only for candidates from Rahmon's Party. After the elections – which were neither free nor fair – another sermon text called for the IRP to be closed down and for there to be only one party in the country (see F18News 1 April 2015 http://www.forum18.org/archive.php?article_id=2053). (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=1553.

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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