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TAJIKISTAN: "Inciting religious hatred" charges for at least 6 imams and man who filmed police harassment

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

Sulaymon Boltuyev, Imam of the cathedral Mosque in Guliston (former Kayrakkum), "did not call for forceful changes of the constitutional order, did not incite religious hatred, nor did he commit anything illegal", his lawyer Faizinisso Vokhidova told Forum 18 News Service. Boltuyev is among at least six imams in Tajikistan's northern Sughd Region in pre-trial detention since early March. They face up to five years' imprisonment on criminal charges of "inciting religious hatred". Also under arrest on the same charge is Okil Sharipov. On a visit to his family from Russia, he had filmed police harassment of women for wearing the hijab (Islamic headscarf). Prosecutors in the cases refused to discuss them with Forum 18 and nor would an official from the office of the Interior Minister in Dushanbe. Sulaymon Davlatzoda, Chair of the State Committee for Religious Affairs (SCRA), confirmed to Forum 18 that the arrested six Imams in Sughd had been appointed with the SCRA's approval. But he too could not say why they had been arrested.

At least six imams in Tajikistan's northern Sughd Region have been held in pre-trial detention since early March accused of "inciting religious hostility", Forum 18 News Service has learned. They face up to five years' imprisonment if convicted. One of the arrested imams, Sulaymon Boltuyev, "did not call for forceful changes of the constitutional order, did not incite religious hatred, nor did he commit anything illegal", his lawyer Faizinisso Vokhidova told Forum 18.

Arrested in the same Region in late February on the same criminal charge was Okil Sharipov. On a visit to his family from Russia, he had filmed police harassment of women for wearing the hijab (Islamic headscarf).

Asked who Forum 18 could talk to about the arrests of the imams and the man who had filmed police detentions of women in hijabs, the duty official (who did not his name) at the Interior Ministry in the capital Dushanbe referred Forum 18 on 21 April to the office of Interior Minister Lieutenant General Ramazon Khamro Rahimzoda.

Asked why the imams and Sharipov were arrested, the official who answered the phone at the Minister's office the same day, who gave his name only as Karim and refused to give his last name, told Forum 18: "I cannot answer those questions." Asked why, he claimed: "I work for a technical office." When Forum 18 insisted and asked who Forum 18 could talk to about the arrests, he replied, "These are the kind of questions which cannot be discussed over the phone. Please send us a letter."

Ever-tightening controls

Controls on religious communities – especially mosques – have been steadily increasing in recent years (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=2138).

The authorities continue to close down Muslim prayer rooms, while mosques are being forced to instal surveillance cameras. The authorities have also sent young people to mosques to ensure that Muslims pray only in accordance with Hanafi or Ismaili rituals (see F18News 6 May 2016 http://www.forum18.org/archive.php?article_id=2175).

The campaign to control the exercise of the right to freedom of religion or belief has also seen a campaign to pressure women not to wear the hijab or men to wear beards (see Forum's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=2138).

"The mass campaigns of catching women in hijabs and men with beards may be over," Saodat Olimova of Sharq (Orient) Research Centre on religious issues told Forum 18 from Dushanbe on 26 April. "But we continue to hear of individual incidents. The authorities are intent on liquidating all outward expression of religiosity."

Six arrested imams

The six Imam-hatyps of cathedral Mosques in the northern Sughd Region were all arrested in early March on the initiative of the

Regional Prosecutor's Office. The Imams are being held at a Detention Centre in Sugd. All six had been appointed to their posts with the approval of the State Committee for Religious Affairs (SCRA).

Boltuyev was Imam of the cathedral Mosque in Guliston (former Kayrakkum), Maksud Urunov Imam of the cathedral Mosque in Kanibadam, and Abdujamil Yusupov of the cathedral Mosque in Bobojon Gofurov District. Of the three other unnamed Imams, two are from Khujand and one from Kanibadam.

All six Imams are accused of inciting religious hatred under Criminal Code Article 189, Part 1 ("Inciting national, racial, local or religious hatred or dissension, humiliation of national dignity, as well as propaganda of the superiority of citizens based on their religion, national, racial, or local origin, if committed in public or using the mass media"), Boltuyev's lawyer Vokhidova told Forum 18 on 21 April. Under this Article the Imams risk being imprisoned for up to five years, she added.

Imam Boltuyev "denies that he was involved in anything extremist", Vokhidova stressed. In his statement to the Prosecutor's officials he said that – contrary to the authorities' accusations – he "did not call for forceful changes of the constitutional order, did not incite religious hatred, nor did he commit anything illegal". Boltuyev stated that the "nature of his calls to the Muslims for prayer and how to be believers was only peaceful."

Even more arrests?

Unconfirmed media reports speak of more arrested Imams in Kanibadam, Guliston and Bobojon Gofurov District of Sugd Region, as well as in the south-western Khatlon Region. Also reported arrested were between 100 and 200 graduates of universities and madrassahs in Uzbekistan, Pakistan or Arab countries. In Sugd Region, most of those arrested reportedly are from Kanibadam, Isfara, Bobojon Gofurov and Khujand.

However, the authorities have so far admitted only the arrest of the six Imams. Forum 18 could not independently verify the reports of the additional arrests.

Why the arrests?

Lawyer Vokhidova told Forum 18 that she does not know much about the investigation into the six arrested imams since she is "not familiar with the case files". However, she knows they are "suspected of being members of the [Egyptian] Muslim Brotherhood movement."

Tajikistan's Supreme Court banned the Muslim Brotherhood movement in the country in 2006. However, the authorities have made no public statements explaining why the organisation was banned or who exactly in Tajikistan are members of the movement.

Vokhidova told Forum 18 that the Imams graduated from the Central Asian Islamic University in the Uzbek city of Tashkent and the Islamic University of Medina in Saudi Arabia. She said that Imam Boltuyev stated to the prosecution that he "only propagated Islam, prayed in accordance with the Hanafi Muslim school tradition," and that "his only intention was that the number of Muslim believers in the country would grow".

SCRA Chair Sulaymon Davlatzoda confirmed to Forum 18 that the arrested six Imams in Sugd were appointed with the SCRA's approval. But he could not say why they had been arrested. "I do not know, an investigation is going on at the moment," he told Forum 18 on 21 April from Dushanbe. "Probably in one month the investigation will be completed, and we will find out why."

Sugd Regional Prosecutor's Office refused to explain why the imams had been arrested. The Assistant (who did not give her name) of Regional Prosecutor Khabibullo Vokhidov on 21 April told Forum 18 that he is "not available". She referred it to Izzatullo Mukhamadi, the Deputy Prosecutor. The same day Mukhamadi took down Forum 18's question why the Imams were arrested but did not answer. "I cannot hear you well," he claimed while Forum 18's end of the line was clear. When Forum 18 repeated the question, he put the phone down. Subsequent calls the same day to the Prosecutor's and Deputy Prosecutor's phones went unanswered.

Religious affairs official dismissed, new Imam-hatyps chosen

Following the arrests, the chief religious affairs official of Bobojon Gofurov District was dismissed, local media reported on 5 April. Also in place of the arrested Imams, names of new Imams were presented to the SCRA.

Filming police harassment of women in hijabs = inciting religious hatred?

Okil Sharipov was arrested in the same Sugd Region's city of Isfara for filming Police harassment in mid-February of a group of women who wore hijabs. A female Police officer forced the women onto a bus and took them to a Police Station. The film later appeared on YouTube and other websites.

Sharipov, who has lived in Russia for the last fifteen years and has Tajik and Russian citizenship, was arrested while on a visit to his parents in Isfara. "By chance he saw the Police stopping the women and was shocked, which is why he filmed what was happening," Vokhidova, his lawyer, told Forum 18 on 13 April.

Sharipov was arrested on 20 February for "not obeying the lawful demands of a Police officer". That same day Isfara City Court jailed him for seven days under Administrative Code Article 479, Part 1, Vokhidova said. "It was just an excuse for the Police to put him under arrest so they could begin a criminal process," she complained. "How could he not obey the Police? It was he who went to the Police Station when he was invited."

On 27 February, the very day the short-term jail sentence ended, Isfara Prosecutor's Office opened a criminal case against Sharipov under Criminal Code Article 189, Part 1 ("Inciting national, racial, local or religious hatred or dissension, humiliation of national dignity, as well as propaganda of the superiority of citizens based on their religion, national, racial, or local origin, if committed in public or using the mass media"). Isfara Court handed down to him two months' pre-trial detention.

Isfara Prosecutor Office's Investigator Muminjon Khalifazoda is leading the case. "Though the pre-trial detention period expires on 27 April, I think the authorities will prolong the arrest," Vokhidova said, "since these are serious charges."

Why was Sharipov arrested?

Vokhidova pointed out that Sharipov had not put the film on the internet. "He had only shared it with some acquaintances in Russia, who might have put it on the internet." She said that Sharipov's conditions in Police Detention Centre No. 2 in Khudjand are "normal", and he is "not complaining". The only complaint is "that we do not agree with the charges and that filming the women on the street was not a violation or a crime." Sharipov is "simply shocked that in the modern age women were harassed for wearing hijab".

Prosecutor's Office Investigator Khalifazoda refused to talk to Forum 18. He introduced himself on 14 April, but when asked why Sharipov was arrested and why the Police rounded up the women in hijabs on the street in Isfara, which Sharipov filmed, he claimed that "I cannot hear you well," though Forum 18's end of the line was clear. He then put the phone down. Forum 18 could not reach him again on the same day since he switched off the phone. Calls to his phone between 14 and 25 April went unanswered.

Prosecutor Anvar Khol Rakhmonzoda of Isfara on 14 April also refused to discuss the case with Forum 18. Asked on what grounds Sharipov was arrested, he merely responded: "I can only tell you that we are investigating the case." Asked what happened to the women in hijabs who were forced onto the bus, and if the Prosecutor's Office is also investigating the Police actions, Rakhmonzoda said, "No." Asked why he would not answer, he put the phone down.

Women in hijabs rounded up on street and taken to Police station

Sharipov's filming of the women's detention in Isfara came as the Police were in the middle of a three- or four-day campaign in mid-February of "hunting for hijabs", independent news agency Tajinfo noted on 20 February, citing its sources.

Interior Minister Rahimzoda claimed to a press-conference in Dushanbe on 25 January that "Police do not detain or round up women in hijabs and men wearing beards, but only conduct explanatory work with them".

However, the "reality on the street is different," Tajinfo noted.

As seen in the footage filmed by Sharipov, a female Police officer stopped young and older women in hijabs on a busy Isfara street near a market, and made them get onto the Police bus.

Witnesses in Sharipov's video say that the Police intended to take the women to the Police Station to take their fingerprints. A woman sitting in the Police bus told Sharipov that her "only guilt was that I wear hijab".

Lawyer Vokhidova told Forum 18 that neither she nor Sharipov know who the women were, where the Police took them or what happened to them afterwards.

Women warned not to wear hijab and their children warned of expulsion from school

Tajinfo reporters, who wished to remain unnamed for fear of state reprisals, told Forum 18 on 14 April that "women in hijabs, who are stopped by the Police on the street are taken to Police Stations and given preventive lectures so that they take off their hijabs and not wear it in future."

Some victims who contacted Tajinfo in the past told the agency that even their children in some schools are "threatened that they will be expelled from the school unless their mothers stop wearing hijabs", Tajinfo reporters added. They declined to give names or contacts of the victims for fear of state reprisals.

Chief of Isfara Police, Farkhod Atajonov, refused to discuss the case with Forum 18 on 20 April and 25 April. Asked why Isfara Police detained women in hijabs on the street and what further measures the Police took, he put the phone down. Called back again on 25 April he asked Forum 18: "Why do you keep calling me? Don't call me again." He then put the phone down.

"Every organisation has a dress-code and people are asked to respect it"

Sadriddin Jaloliddinov, Press-Secretary of the Interior Ministry, denied that police had harassed women for wearing hijab or men for wearing beards. "Nothing like this ever happened in Tajikistan," he claimed to Forum 18 from Dushanbe on 21 April.

Told that Forum 18 has seen the video footage of the Police rounding up women in Isfara, Jaloliddinov brushed off Forum 18. "Anyone can compile such false materials and place them on the internet. Who can prove that they were indeed Police officers?" When Forum 18 told him it has in the past talked to victims of Police harassment for wearing hijabs and beards, he responded: "I don't know, you need to talk to our leadership about this."

Davlatzoda of the SCRA denied to Forum 18 that women in hijabs were detained in Sugd Region. "That fact did not find its confirmation," he insisted. Told that this and other facts of Police detention and harassment of women in hijabs and men with beards were documented by the media, and that Forum 18 talked to the victims in the past, he replied: "No law in Tajikistan bans the hijab or beards, but every organisation has a dress-code, and people are asked to respect it."

Asked why individuals cannot wear clothes of their choice in line with their religious beliefs, and what exactly is the dress code he mentioned, as well as what will happen to those who do not respect the dress code, Davlatzoda asked Forum 18 to send the questions in writing. (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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