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TAJIKISTAN: Raid, torture, interrogations, fines, calendars destroyed

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

Religious communities including Jehovah's Witnesses meeting for worship continue to be raided, with interrogations lasting between 20 minutes and 14 hours and in some cases involving torture. Other religious communities also face renewed questioning, especially on finances, and whether children under the age of 10 attend meetings.

Police in Tajikistan continue to raid groups of Jehovah's Witnesses meeting together for worship, with interrogations being carried out for between 20 minutes and 14 hours. During the interrogations police have forced people to sign statements that they were not tortured, yet some detainees have been tortured. Contrary to the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Tajikistan has neither arrested officials suspected of torture, nor put them on criminal trial.

From January 2019, State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) officials have renewed demands to religious communities of all beliefs to give the SCRA "all kinds of information on the number of their members, finances and activities", a member of one religious community who wished to remain anonymous for fear of state reprisals told Forum 18. Officials have been particularly interested in community finances, as well as whether children under the age of 10 attend meetings (see below).

The demands follow January 2018 Religion Law changes, but officials act as if there are no legal controls on their actions. One religious community in early 2019 asked Mukhiddin Tukhtakhojaye, who is responsible within the SCRA for non-Muslim communities, for a formal written request for the information he wanted. He replied that he will not put anything in writing, claiming that "you need to obey my verbal commands". He also claimed: "My verbal commands are the law as I represent the law. If you don't obey my verbal commands you will be in trouble. We [the SCRA] will come and take any documents we want" (see below).

After Tukhtakhojaye visited a community to demand information and saw children under the age of 10 present with their parents, a fine equivalent to almost eight months' average wage was imposed (see below).

"Mosques have stopped being a social institution, and have become some kind of state agency," a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18. "Imams are known to share all information on mosque community members with state agencies" (see below).

In December 2018 customs officers at Dushanbe Airport confiscated 5,000 calendars with New Testament verses that Baptists were importing. The calendars were later destroyed and a fine equivalent to about four months' average wage imposed. One Customs official told Radio Free Europe (RFE/RL) that "after linguistic experts in the Culture Ministry .. found elements of propaganda of an alien faith, the calendars were confiscated". Officials have refused to explain to Forum 18 why the state might regard some faiths as "alien", or whether followers of "alien" faiths have greater or less freedom of religion and belief than followers of "non-alien" faiths. They have also refused to explain why the calendars were confiscated and destroyed instead of being returned to sender (see below).

Jehovah's Witness former prisoner of conscience Daniil Islamov, who was jailed for refusing to do military service, has filed a complaint to the UN Human Rights Committee (see below).

Raids, interrogations for up to 14 hours

Police have continued to raid groups of Jehovah's Witnesses meeting together for worship. The regime banned Jehovah's Witnesses in 2007. (http://www.forum18.org/archive.php?article_id=2138)

Across the northern Sughd Region, including in Khujand and Konibodom, the police Department for the Struggle with Organised Crime has been raiding homes of Jehovah's Witnesses throughout January and February. Police are known to have interrogated about 17 people for periods of between 20 minutes and 14 hours, Jehovah's Witnesses told Forum 18 on 15 February. Police also

confiscated some mobile phones, personal computers or tablets, and internal passports from those they interrogated.

Asked on 21 February why police are raiding Jehovah's Witnesses meeting for worship in their homes, and why Tajikistan has banned the community, Abdurakhmon Mavlanov of the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) in the capital Dushanbe replied: "I am not competent to answer you on this question." He refused to put Forum 18 through to any official who could answer this.

Torture

During the interrogations, police in Sugd Region compelled those detained to complete a questionnaire about Jehovah's Witness beliefs, as well as to state in writing that they were not tortured by police during the interrogations.

Under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Tajikistan is obliged to arrest any person suspected on good grounds of having committed torture, and to try them under criminal law. (http://www.forum18.org/archive.php?article_id=2138)

One female Jehovah's Witness was interrogated two days running for 14 hours. As a result of the extreme stress imposed on her she suffered a stroke, leaving her unable to walk or speak. She was then taken to hospital.

Jehovah's Witnesses lodged a formal complaint about the interrogation and torture to the Regional Public Prosecutor, but it has taken no action and has made no response.

The duty officer of Sugd Regional Police (who refused to give his name) told Forum 18 from Khujand on 21 February that freedom of religion and belief cases were dealt with by the police Department for the Struggle with Organised Crime. Khurshed Raupov, Deputy Head of the Department, told Forum 18 that "I understand you very well but cannot answer" when questioned about the raids and torture. He then put the phone down and did not answer subsequent phone calls.

Earlier police torture unpunished

In an earlier case of torture, on 21 January 2018 in Khujand a Jehovah's Witness was summoned to a police station where during a four-hour interrogation, police officer Husrav Usupov beat him until he suffered concussion. Police then released him and he went to a hospital for treatment. Police forced the hospital not to provide medical test results, and forced a doctor to write a false statement denying the injuries. The victim's wife complained to the Prosecutor's Office about her husband's torture.

However, on 1 February 2018 the chief of Khujand Police and the head of the police Criminal Investigation Department summoned the victim and his wife for interrogation. Police ordered the couple to write a statement that they were Jehovah's Witnesses, so fearing for their safety they moved elsewhere, Jehovah's Witnesses told Forum 18.

Large scale secret police raid

In the capital Dushanbe on 5 October 2018, the National Security Committee (NSC) secret police detained a group of 18 Jehovah's Witnesses, including some children, leaving a home after they met for worship on 4 October. The NSC detained most of the men, women and children for questioning, apart from eight women. The NSC had surrounded the home on the evening of 4 October. One of those detained was Russian, and the NSC threatened to deport him and suggest that Russia prosecute him for "extremism". (Jehovah's Witnesses are also banned in Russia. (http://www.forum18.org/archive.php?article_id=2297))

The 10 detainees were eventually released after many hours of questioning, and have been threatened with prosecution for their exercise of freedom of religion and belief. The Russian citizen - who had a valid residence permit - was on 16 October fined 4,000 Somonis (equivalent to about four months average wages) under Administrative Code Article 499, Part 1 ("Violation by foreign citizens of the procedure for being in Tajikistan") and deported on 30 October.

Fined for parents bringing children to meeting

In December 2018, Mukhiddin Tukhtakhojayeov of the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) visited one religious community without any warning or invitation to demand information, a human rights defender who knows the community but is not part of it told Forum 18. Tukhtakhojayeov is responsible within the SCRA for non-Muslim communities.

"While Tukhtakhojayeov was present, a few children under the age of 10 came in to the meeting to see their parents briefly," the human rights defender who wishes to remain anonymous for fear of state reprisals stated. "Tukhtakhojayeov did not say anything during the meeting, but a few days later summoned the leaders of the religious community for questioning. He then forced them to write a statement explaining the reasons why the children were present in the meeting."

The community was then under Administrative Code Article 474 ("Violation of the Religion Law") fined 7,700 Somonis, which is equivalent to almost eight months' average wage. The religious community itself also does not want to be named for fear of state reprisals.

The regime through the Religion law and the Parental Responsibility Law imposes severe restrictions on freedom of religion and belief and related rights, such as the rights of the child and the freedoms of expression and association. This includes warning religious communities not to allow children to be at meetings for worship. (http://www.forum18.org/archive.php?article_id=2138)

5,000 Baptist calendars destroyed

On 18 December 2018, customs officers at Dushanbe Airport confiscated 5,000 religious calendars that Baptists were importing, a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 on 14 February. The calendars had photos for each of the 12 months of 2019, and had one quotation from the New Testament for each month.

The calendars were being imported by Dushanbe's state-registered Baptist Church. However Rahmonali Rahimzoda of the Customs Service told Radio Free Europe (RFE/RL) on 14 February that "following the conclusion of linguistic experts in the Culture Ministry that found elements of propaganda of an alien faith, the calendars were confiscated".

"The Baptist calendars only had Bible verses on them," a local Protestant who wished to remain anonymous for fear of state reprisals told Forum 18 on 21 February. "Unfortunately, this means that our authorities consider that the Bible is an alien book in Tajikistan."

Abdurakhmon Mavlanov of the SCRA did not answer when asked by Forum 18 on 21 February why the state might regard some faiths as "alien", or whether followers of "alien" faiths have greater or less freedom of religion and belief than followers of "non-alien" faiths.

The Church was fined 4,000 Somonis, which is about four months' average wage, under Administrative Code Article 474-1. This punishes producing, distributing, importing, or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship. (http://www.forum18.org/archive.php?article_id=2138)

SCRA spokesperson Avshin Mukim told RFE/RL that the calendars were confiscated "because propaganda of a religion must be done only within the Baptist Church, and the calendars had religious propaganda in them". He also claimed that the numbers of calendars exceeded the number of Baptists in the country.

The authorities destroyed the calendars in January 2019, "as they were imported without prior censorship and the permission of the SCRA," Customs spokesperson Boymurod Faizulloyev told Forum 18 on 15 February. He would not explain why the calendars were destroyed, or why the Baptist Church was fined. Faizulloyev also refused to explain why the calendars were not sent back to the sender instead of being destroyed.

Sukhrob Odinayev, an "expert" of the Religious "Expert Analysis" Section of the Culture Ministry, adamantly denied that the Ministry gave an "expert opinion" on the calendars. "I don't know why Mavlanov and the Customs Service told you and the press that we gave such an expert opinion, but it is not true," he told Forum 18 on 22 February. He further declined to discuss the issue with Forum 18 or answer other questions.

Abdurakhmon Mavlanov of the SCRA also refused to explain why the calendars were destroyed and Baptists fined. "We have nothing to do with that," he claimed to Forum 18 on 21 February.

Mavlanov did not answer when asked why the SCRA did not raise with the Customs Service or other authorities whether the destruction of calendars with Bible verses on them was a legal and appropriate action.

"My verbal commands are the law.."

In January 2019 State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) officials renewed demands to religious communities of all beliefs to give the SCRA "all kinds of information on the number of their members, finances and activities", a member of one religious community who wished to remain anonymous for fear of state reprisals told Forum 18 in mid-January.

Officials have been particularly interested in community finances, as well as whether children under the age of 10 attend meetings.

The SCRA questions follow January 2018 changes to the Religion Law. An amendment to Article 19 requires all religious communities to provide the SCRA "on request with information on the sources of income, inventory of its property, expenditure of its resources, number of its employees, salaries paid, the sums of taxes paid and other necessary information".

The amendment to Article 19 also requires religious communities to help SCRA officials to "familiarise themselves with their

religious activity in connection with their carrying out of the goals in their statute and the observance of laws".

But even before these changes, the SCRA illegally demanded that religious communities had to complete a detailed SCRA questionnaire every year. The regime imposed the January 2018 changes without consultation, and break Tajikistan's legally-binding international human rights obligations. (http://www.forum18.org/archive.php?article_id=2354)

Even after the changes, officials act as if there are no legal controls on their actions. One religious community in early 2019 asked Mukhiddin Tukhtakhojajev of the SCRA for a formal written request for the information he wanted, as he is responsible within the SCRA for non-Muslims communities. He replied that he will not put anything in writing, and claimed that "you need to obey my verbal commands".

Tukhtakhojajev then claimed: "My verbal commands are the law as I represent the law. If you don't obey my verbal commands you will be in trouble. We [the SCRA] will come and take any documents we want."

Tukhtakhojajev on 14 February refused to answer Forum 18's questions, claiming: "I cannot talk to you over the phone." Contradicting his behaviour towards various religious communities, he then demanded "please send your questions in writing" before putting the phone down.

"Give us any information whenever we ask for it"

A member of another religious community, who wishes to remain anonymous for fear of state reprisals, told Forum 18 in February 2019 that some religious communities in December 2018 asked the SCRA to hold a round table explaining the January 2018 legal changes. After frequent raids in 2018, "religious communities wanted the SCRA to explain how they can carry out their normal exercise of freedom of religion and belief without SCRA interference, and without the fear of being punished", the community member told Forum 18.

The SCRA refused to hold a round table, and replied that "religious communities must obey the law and give us any information whenever we ask for it".

Mosques "have become some kind of state agency"

Mosques and Muslims exercising freedom of religion and belief are targeted for particularly severe state restrictions, imposed through the state-controlled Council of Ulems [Islamic scholars] and other state agencies. (http://www.forum18.org/archive.php?article_id=2138) These include restrictions introduced in 2017 on how Islamic festivals and the haj pilgrimage are marked. (http://www.forum18.org/archive.php?article_id=2315) Beard and hijab-wearing bans continue to be enforced, forcing one couple to divorce. Police have set up roadblocks to enforce the bans, which are also been enforced in schools and universities. (http://www.forum18.org/archive.php?article_id=2421)

The January 2018 amendments to the Religion Law also imposed tighter SCRA controls over building and opening new mosques. According to the amended Article 8, mosque communities require SCRA permission to use specific buildings for worship, while the SCRA also needs to approve the local authorities' plans to allocate land to build a mosque. SCRA permission is required for the appointment of ordinary imams, imam-hatyps (who give sermons) and sar-hatyps (the head of a mosque).

"Mosques have stopped being a social institution, and have become some kind of state agency," a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 on 12 February 2019. "Imams are known to share all information on mosque community members with state agencies."

The human rights defender also pointed out that another sign of mosques becoming a state agency was that they now handed over "a big portion of their income to the SCRA". Corruption is widespread in Tajikistan, and Transparency International's Corruption Perceptions Index 2018 ranks the country close to the bottom, in 152nd place out of 180 countries worldwide.

SCRA and Council of Ulems officials refused to discuss their control of mosques and restrictions on everyone's freedom of religion and belief with Forum 18, or put Forum 18 through to anyone who would discuss these issues.

Asked on 21 February why the SCRA collects money from mosques, Abdurakhmon Mavlanov of the SCRA in Dushanbe did not answer and put the phone down.

Haji Nigmatullo Olimov, Deputy Chair of the Council of Ulems, refused to say whether and how much money the Council collected from individual mosques. On 15 February he first asked to speak "after lunch", but then did not answer his phone that afternoon. On 21 February he claimed that "I cannot hear you well", although Forum 18 could hear him clearly. He then put the phone down and did not answer his phone again.

Conscientious objector's complaint to UN Human Rights Committee

Jehovah's Witness former prisoner of conscience Daniil Islamov was jailed for six months from April to October 2018 for refusing military service although he was willing to do a civilian alternative service.

By the time of his release, Islamov had been held for nearly a year after being detained in a military unit in April 2017. The Tajik authorities ignored a call by the UN Working Group on Arbitrary Detention just a week before he was jailed that he should be freed "immediately". (http://www.forum18.org/archive.php?article_id=2357)

On 24 January 2019, Jehovah's Witnesses filed a complaint to the UN Human Rights Committee on behalf of former prisoner of conscience Islamov, they told Forum 18 on 15 February. (END)

Full reports on freedom of thought, conscience and belief in Tajikistan (<http://www.forum18.org/archive.php?country=31>)

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

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (http://www.forum18.org/archive.php?article_id=1351)

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