

1 May 2003

TAJIKISTAN: Secrecy surrounds new draft religion law

By Igor Rotar, Forum 18

Religious leaders know nothing about the amendments to Tajikistan's law on religion which officials expect to be adopted in the second half of the year. "We have only learnt about the proposed changes to the law from you," Said Negmatov of the Islamic Centre told Forum 18 News Service. "My main worry is that the draft law is being prepared behind the scenes without public discussion," Baptist pastor Aleksei Tsirulev declared. Said Akhmedov, chairman of the government's Committee for Religious Affairs, told Forum 18 that under the new law, individual religious communities will need to present a list of 100 members to get registration. While Muslim, Russian Orthodox and Jehovah's Witness representatives said this would not be difficult for them, Tsirulev was concerned, warning that "this will mean that in many towns and villages our fellow believers will be deprived of the opportunity to observe religious rituals".

Leaders of several religious communities have told Forum 18 News Service that they know nothing about the amendments to Tajikistan's law on religion which officials expect to be adopted in the second half of the year. "We have heard nothing about a new draft law on religion. We have only learnt about the proposed changes to the law from you," the executive secretary of the Islamic Centre, Said Negmatov, told Forum 18 on 30 April. "My main worry is that the draft law is being prepared behind the scenes without public discussion," Baptist pastor Aleksei Tsirulev told Forum 18 from the capital Dushanbe on 29 April. "You will agree that it is strange that I have found out only from you about the proposed changes to the religion law."

Groundwork for the draft law is taking place behind closed doors and is not being discussed publicly. Forum 18 failed to obtain a copy of the draft law even from the Tajik office of the Organisation for Security and Co-operation in Europe. "It is still too early to present the new draft law to a wider public," Said Akhmedov, chairman of the government's Committee for Religious Affairs, told Forum 18 on 28 April from Dushanbe. "Initially, corrections will be made to it within the government and only then will it be submitted for consideration by the republic's parliament. So if it is approved, it will be no earlier than July."

Akhmedov agreed to disclose only a few of the proposed amendments to the law. While the qualifying number of founder members of a religious community required for registration will remain the same at ten people, he said the new draft law will require the founder members to present a list of no fewer than one hundred members of the community. According to the new draft law, religious communities will in future register at regional justice departments and not at the committee for religious affairs, as the current law prescribes.

Forum 18 failed to establish from Akhmedov whether under the new law registration would be compulsory before a religious community could operate. He claimed to Forum 18 that already under the current religion law a religious community can only start to operate after registration. In fact, however, the current law says nothing about a requirement to register. Article 14 of the law states only that registration is necessary for a religious organisation to receive the status of a "juridical person".

Forum 18 asked representatives of several of Tajikistan's main religions to comment on the draft law. The main problem was that none of Forum 18's interviewees knew anything about the proposed amendments to the law and made their comments on the basis of information provided by Forum 18.

Because he had heard of the amendments only from Forum 18 and had not seen the text of the draft, Negmatov said his Islamic Centre (the former muftiate) would not comment for the time being.

According to Muhiddin Kabiri, deputy chairman of the Islamic Revival Party, "the requirement to present a list of one hundred members of the community could be dangerous for religious minorities, but is not a problem for Muslims". Speaking to Forum 18 on 29 April, Kabiri also stressed that "equality of all religions is essential. The qualifying number required for registration must be the same for everyone."

The Orthodox dean of Tajikistan and priest of Dushanbe's Orthodox Cathedral of St Nicholas, Father Sergei Klimenko, expressed the conviction that "the new draft law will not pose any problem to the Orthodox". "The Orthodox Church occupies a special position in Tajikistan," Fr Klimenko told Forum 18 from Dushanbe on 28 April. "Back in 1995 we registered directly with the Council of Ministers. Our registration was approved by the president of Tajikistan himself. Therefore I am sure that if we have fewer

than 100 parishioners in a particular place, in that case we will come to a mutual understanding with the authorities."

Strangely enough, neither did Anatoli Melnik, a member of the ruling council of Jehovah's Witnesses of Kazakhstan (which oversees all the Central Asian republics), see any obstacles ahead for his fellow believers. "I do not think it will be a problem to find one hundred members in a town or village," he told Forum 18 on 28 April.

The most pessimistic of those Forum 18 spoke to was Tsirolev, who is pastor of Dushanbe's Grace Baptist church. He warned that if it is indeed true that the number of members required to register a religious community will rise to 100 under the new law, "that may be interpreted as a new attempt by the authorities to do battle with the religious minorities". He described it as "simply unrealistic" for the Baptists to be able to muster that number of members in many towns and villages.

"Given that even today, despite the law on religion, the authorities believe the registration of a church is obligatory, this will mean that in many towns and villages our fellow believers will be deprived of the opportunity to observe religious rituals," Tsirolev told Forum 18.

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

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY