



Tajikistan

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

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The Constitution provides for freedom of religion, but legislation and governmental decrees contradict this right. The Government continued to promote secularism and allowed religious practice only under tight controls.

Respect for religious freedom continued to decline during the reporting period. The Government expanded its efforts to control virtually all aspects of religious life, and government officials actively monitored religious groups, institutions, and figures. Government policies reflected concern about Islamic extremism, and government officials used this concern to justify imposing restrictions and engaging in surveillance. The Government passed a new religion law that includes significant restrictions on religious expression, particularly among the country's majority Muslim population. The Government continued to use the registration process to hinder, influence, or intimidate religious organizations and communities. Furthermore, the Government continued to enforce official and unofficial dress codes that hindered religious expression, including an unevenly enforced ban on girls wearing the hijab, a Muslim head covering, at public schools and universities.

Government restrictions disproportionately affected Muslims, although the Government targeted any religious organization it deemed to have "foreign influences." Some government officials expressed opinions in the press that minority religious groups undermine national unity. Citizens and residents of the country, however, are generally tolerant of, and open to, religious diversity.

The Government tried to limit the U.S. Government's access to government officials and public institutions. Nevertheless, the U.S. Embassy discussed religious freedom concerns with the Government and used public diplomacy activities to engage a wide spectrum of society on religious freedom and tolerance, stressing the importance of sound public policy on religious issues. Embassy staff, including the Ambassador and visiting U.S. government officials, met regularly with community leaders of different faiths. Embassy staff investigated instances of potential discrimination and advocated strongly for government tolerance of all religious groups. The U.S. Embassy also supported exchange programs for local religious leaders to visit the United States.

Section I. Religious Demography

The country has an area of 55,300 square miles and a population of more than seven million. According to local academic experts, the percentage of citizens who are Muslim is 97 percent. The President claimed the number is 99 percent; however, the degree of religious observance varies widely. Overall, active observance of Islam appears to be increasing steadily, especially among city residents and those under the age of 20. The majority of Muslim inhabitants adhere to the Hanafi school of Sunni Islam. Approximately 4 percent of Muslims are Ismaili, the majority of whom reside in the remote eastern Gorno-Badakhshan Autonomous Region, some districts in Khatlon Region, and in Dushanbe, the capital. The country has approximately 2,980 registered mosques for daily prayers and 259 Friday prayer mosques (larger facilities built for weekly Friday prayers). Neither of these figures includes Ismaili places of worship (Jamoatkhonas).

There are 83 non-Muslim groups registered with the Department of Religious Affairs (DRA), which is part of the

Ministry of Culture. The Government banned two locally operating Christian groups--the "Hayoti Farovon" (Abundant Life) and the Jehovah's Witnesses--in December 2008 and January 2009, respectively. Approximately 150,000 Christians, mostly ethnic Russians and other Soviet-era immigrants, reside in the country. The largest Christian group is Russian Orthodox; other registered organizations include Baptists, Roman Catholics, Seventh-day Adventists, Lutherans, and Korean Protestants. Other religious minorities include Baha'is, Zoroastrians, and Jews. Each of these groups is very small, and nearly all their members live in Dushanbe or other large cities. Some religious communities have been banned or denied registration, including the Jehovah's Witnesses. An estimated 0.01 percent of the population is atheist or does not belong to any religious denomination.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the Government enacted laws and issued decrees that directly contradict this right. There is no official state religion, but the Government recognizes the "special status" of Hanafi Islam, the Sunni sect with which most citizens identify. President Rahmon declared 2009 to be the "Year of Imam Azam," in honor of Abu Hanifa, the founder of the sect, and the Government sponsored events that promoted his philosophy and accomplishments. The Government recognizes only two religious holidays as state holidays--the Islamic holy days of Idi Ramazon (Eid al-Fitr) and Idi Qurbon (Eid al-Adha).

In 2009 the Government passed a new religion law that codified some restrictions that had been informally implemented in the past and introduced a framework for further restrictions. The Government also continued to enforce other laws and decrees that also infringe on religious expression.

The 2009 religion law, the "Law on Freedom of Conscience and Religious Associations," replaced a prior law that established a framework for government controls. The new law expands the Government's power to regulate religious communities. The Government claimed civil society had taken part in discussions about the law before it was passed, but there were only a few instances where the concerns of religious groups, political parties, or international experts were taken into account. In one case, for example, a provision was dropped that would have outlawed religious-based political parties -- effectively eliminating the Islamic Revival Party of Tajikistan (IRPT). In another case, the Government changed the draft to allow for more mosques throughout the country, although it subordinated smaller mosques to central Friday mosques in an effort, critics say, to keep better tabs on the mosques' activities. Parliament passed the legislation with little debate and over the objections of opposition politicians.

The law defines the type of religious organizations that can exist in the country. As under the prior law, religious organizations and institutions must be registered by the DRA. Under the law, religious organizations must provide a large number of documents to comply with registration requirements, and registration can be denied for numerous technical reasons, including provision of incomplete information. The law singles out mosques for specific regulations, including population quotas. Friday prayer mosques can function in districts with 10,000-20,000 persons; five-time prayer mosques can function in areas with populations of 100-1000 (the quotas are higher for Dushanbe). The law stipulates that imams and imam-khatibs of mosques are selected by "the appropriate state bodies in charge of religious affairs." The law also gives the Government broad authority to regulate religious education. Any institution or organization that wishes to provide religious instruction must first obtain permission from the authorities.

Authorities had been unofficially implementing some of these provisions prior to the law's passage; some of the provisions were not being enforced uniformly throughout the country. It was unclear how or whether authorities would implement the most controversial provisions of the law, such as the population quotas for mosques and the

selection of imams by government officials.

The Law on Observing National Traditions and Rituals regulates private celebrations and funeral services. The stated intent of the law is to protect the public from spending excessive amounts of money on celebrations, but the effect of the law is to limit private celebrations which have religious significance, such as weddings, funerals, and Mavludi Payghambar (the birthday of the Prophet). The law limits the number of guests, eliminates engagement parties, and controls ceremonial gift presentations and other rituals. The Law on Freedom of Conscience and Religious Associations reiterates these principles, mandating that "mass worship, religious traditions, and ceremonies are carried out according to the procedure of holding meetings, rallies, demonstrations, and peaceful processions prescribed by law of the Republic of Tajikistan."

The DRA is the primary administrative authority that oversees implementation of the Government's religious policy. The Ministry of Education oversees implementation of provisions related to religious instruction. In 2008 the Government established a Center for Islamic Studies within President Rahmon's executive office to help formulate the Government's religious policy, but the exact nature of this institution remained unclear. The head of the center is neither a scholar nor a religious figure. Law enforcement institutions, including the State Committee for National Security, monitor religious communities.

To register with the DRA, a religious group must submit a charter, a list of at least 10 members, and evidence of local government approval of the location of a house of worship, if one exists. A religious group is not required to have a physical structure in order to register, but it cannot hold regular meetings without one. In the absence of registration, local authorities can force a place of worship to close and fine its members.

The Government bans groups it considers "extremist" or it believes will "threaten social harmony," and it targeted Islamic organizations in particular. The ban on Hizb ut-Tahrir (HT) remained in effect, although the authorities arrested fewer suspected members than in the past. HT is an extremist Islamist political organization motivated by a socioreligious ideology that is virulently anti-Semitic and anti-Western and calls for the overthrow of secular governments. In 2009 the Government banned the Salafiya movement, a group that reportedly has ties to Saudi Arabia. The Government has also targeted Christian organizations. The Jehovah's Witnesses remained banned, as did two local evangelical groups.

The Government sought to control the Islamic clergy through the Council of Ulamo, a group of scholars and imams that provides interpretations of religious practice. Government officials refer to the Council as independent, but it is widely understood that the Government heavily influences--if not directly controls--the Council. Decisions and fatwas of the Council are perceived to be expressions of government policies; members of the Council are perceived to be loyal to the Government. Members of the Council draft and approve sermons for distribution to imams throughout the country, expecting them to read the sermons at Friday prayers.

The Government tightly controls religious instruction. In early 2008 the non-governmental Islamic University was brought under the control of the Ministry of Education. As a result of this change, the rector and all programs of study at the "Islamic Institute," as it is now called, must receive approval from the Ministry of Education. Teachers are subject to a vetting process. There are 19 madrassahs for students who have completed secondary school. According to the new Law on Freedom of Conscience, such private religious schools must register with the Ministry of Justice and obtain a license from the Ministry of Education. The Government inspects the curricula at private madrassahs and monitors classes by periodically placing an official in classrooms as an observer. In May 2009 a private madrassah in Dushanbe held its opening ceremony. It had been registered by the Ministry of Justice, but its license application was pending at the end of the reporting period.

Under the Law on Freedom of Conscience, it is legal for parents to teach religious beliefs to their own children in the privacy of their home, provided the child expresses a desire to learn. Religious homeschooling outside the immediate family is forbidden. Authorities in the southern region of Tajikistan have directed Muslim leaders to prohibit school-age boys from attending prayers at local mosques. Many have complied for fear the mosque would be shut down if they did not.

The Government issued a textbook to high schools in 2005 on the history of Islam, and a course on the history of religions is taught in public schools at the 10th grade level. Observers interpreted such government-imposed instruction as a way of controlling religious indoctrination. The Law on Freedom of Conscience authorizes religious associations to found religious educational institutions; mosques may "teach the basics of religion by setting up groups according to their regulations."

A 1999 constitutional amendment permits religiously based political parties, although a 1998 law remained in effect specifying that parties may not receive support from religious institutions. During the reporting period, two representatives from the IRPT were members of the lower house of the national Parliament, which has 63 members. There also were 13 deputies from the IRPT in district and regional parliaments.

Government-owned publishing houses generally do not publish religious literature but have done so on occasion, including copies of the Qur'an. There is no legal restriction on the distribution or possession of the Qur'an, the Bible, or other religious works; however, in practice the Government restricted distribution of Christian and Islamic literature. The IRPT distributes one weekly newspaper and one monthly magazine. An executive decree generally prohibits publishing houses from publishing anything in Arabic script; however, some have been able to do so in special cases if the material was presented for review prior to printing. The Government considered this "ban" to be an attempt to prevent the publication of extremist literature. The Government continued to examine audio and video cassettes for extremist and antigovernment material.

Restrictions on Religious Freedom

The laws regulating religious expression are broad and often contradictory, and government institutions exert an undue degree of interference in the affairs of religious communities. The Government uses the registration process to regulate and monitor the activities of religious groups.

Law enforcement officials, including members of the State Committee on National Security, monitored operations of mosques throughout the country. Officials attended services to listen to messages imams delivered and to observe attendees.

The Government added the "Salafiya Organization" to its list of banned organizations in January 2009. A Salafi school near Dushanbe was closed in January. The Government cited "national unity and stability" as its reason for these actions. To counter this stance against Salafi practice, many Salafis, who refer to themselves simply as "Ahli jamoat va sunnat" (representatives of communities and Sunna), continued to attend mosques and simply adjusted their style of prayer to match that of Hanafi worshippers.

The Government previously organized "attestations" of imams, quizzing them on their knowledge of Islamic principles. In August 2007 four imams from daily prayer mosques in Dushanbe failed a test and were removed from their positions. Although no further tests have been administered, the Government organizes seminars for Imam-Khatibs of Friday mosques in Dushanbe to teach them about the various sects of Islam.

Government officials continued to enforce dress and personal conduct codes that infringed on religious expression. A Ministry of Education decree banning women and girls from wearing the hijab in educational institutions remained

in effect. The ban was unevenly enforced and affected regions of the country in which the Government's influence was strongest. For example, in the major cities of Dushanbe and Khujand, several female students and teachers were expelled or forced out of schools and universities for defying the ban, but in outlying areas there were no reports of expulsions as a result of students wearing the hijab. The Minister of Education told the founders of a private madrassah in Dushanbe they would not obtain a license if they allowed women or girls to wear the hijab. In some instances, government officials told observant Muslim men they would have to shave their beards if they wanted to work in bazaars, obtain passports, or work in government offices. Some government officials stressed the need for people to wear traditional Tajik robes and headwear--as opposed to explicitly religious dress such as hijab--while in public.

The DRA continued to control participation in the Hajj and impose restrictions on pilgrims, citing the need to maintain hygiene and safety standards. The DRA collects applications and all fees and makes all flight and hotel arrangements. The DRA chooses participants based on a set of factors, although most who apply are allowed to go. The Government announced in early 2009 that it would reduce the number of citizens allowed to go on the Hajj from 5,200 to 4,800.

A 2004 Council of Ulama fatwa prohibiting women from praying in mosques remained in effect. The fatwa was generally observed; however, two mosques unofficially allowed women to pray and did not suffer consequences. There were reports that government officials asked imams to remove children from mosques during prayer times that conflicted with regular school hours and to instruct them that they should be attending school rather than praying. Restrictions on children attending services may indicate the Government's worry that the youthful population could become radicalized.

During the reporting period the Government reclaimed the property of the Grace Sunmin Church in Dushanbe with little compensation, stating that the Church's purchase of the land in the late 1990s was illegal. The Church itself was not banned but must find alternate facilities. The Government also closed several mosques in 2008 because they were not licensed, although such activity appeared to have abated in 2009 in anticipation of the February 2010 parliamentary elections. The Jehovah's Witnesses were banned in January 2009. There were reports in Khujand of government officials entering homes during Jehovah's Witnesses' Bible discussion groups and arrests of group members in June 2009.

The Government tightly controls importation of religious literature. Religious organizations are required to submit copies of all literature to the Ministry of Culture for approval one month prior to delivery. Under the Law on Freedom of Conscience, religious associations may import "a proper number" of religious materials; the term "proper number" is not defined. In the past, officials have not permitted large shipments of books by Christian organizations, including the Jehovah's Witnesses.

The Government has registered two religious newspapers. Asolat, an independent religious newspaper, was founded in March 2008 and has been published regularly since September 2008. A second religious newspaper, Risolat, was registered in August 2008.

Missionaries of registered religious groups are not restricted by law; however, those who openly proselytized encountered difficulties

Abuses of Religious Freedom

The number of people the Government detained for extremist activities was unknown. Reports stated that fewer suspected HT members were arrested in 2008 than in previous years; however, many speculated that government officials used the HT or extremist labels to harass opponents, extort favors or financial benefits, or otherwise

intimidate rural populations.

In April and May 2009 hundreds of members of the Jamaat Tabligh Islamic missionary organization were arrested. The Jamaat Tabligh, originally banned by the Government in May 2006, is an Islamic missionary organization whose members traveled through Dushanbe and the south of the country to discuss Islam with other citizens. Although the group made no incendiary or violent statements, their increased presence and headquarters location in Pakistan caused the Government to view the organization as a potential extremist group or threat to government stability. Although most were released, several members remained in custody in June 2009.

In June 2009 local police and security service officials raided a mosque in the Zerafshan neighborhood of Dushanbe during the evening prayer and detained approximately 40 suspected Salafis. At the end of the reporting period, most detainees had been released. A few remained in custody, including Mullo Sirojiddin, one of the leaders of the Salafi movement in the country.

During the reporting period, the Jehovah's Witnesses remained banned, as did two local evangelical groups. A handful of foreign NGO workers were deported for allegedly conducting Christian missionary work. The operations of ORA International, a non-denominational Christian relief organization, were suspended because of government suspicions that the group was proselytizing. ORA's U.S. citizen director was deported. Government officials accused some citizens of betraying Islam by converting to Christianity. In Dushanbe, police detained Jehovah's Witnesses, and during interrogations government officials harassed and threatened them.

The Government continued to harass one of the country's most well-known imams, Eshoni Nuriddin, the imam-khatib of the Madrasai Muhammadi mosque in Vahdat District. In late 2008 officials from the State Committee on National Security allegedly detained him because of comments he made during his sermons at Friday prayers. Some of the objectionable subjects included criticism of government bans of the hijab and criticism of U.S. foreign policy.

The Dushanbe city government continued to harass the Grace Sun Min Mission Center over property rights. The Mission Center lawfully obtained rights to use property in Dushanbe in the late 1990s and has spent years renovating the buildings on the property to use as a house of worship and a school. City authorities had attempted to take the property back for several years, but courts repeatedly upheld the Mission Center's rights to the property. In 2008, however, Dushanbe's economic courts reversed their prior decisions; observers of the proceedings noted numerous substantive and procedural irregularities. The courts ordered the Mission Center to vacate the property and awarded the Mission Center only minimal compensation.

In late June 2008 officials tore down the only synagogue in the country to clear space for the grounds of a new presidential palace. A local court upheld an April 2008 eviction order against Dushanbe's Jewish community, despite irregularities in the manner in which authorities stripped the community of its property rights. In May 2009 the largest shareholder in one of the country's most prominent banks donated a house in central Dushanbe to the Community to use as a place of worship.

Authorities reportedly informed representatives of Noni Hayat (Bread of Life), a Protestant church located near the synagogue in Dushanbe, that they should vacate their building by early July 2008 since it also was scheduled for demolition.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or

illegally removed from the United States or who had not been allowed to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

The Government continued to relax the limits on printing in Arabic script by government publishing houses. The Government permitted the printing of materials presented to the director of the publishing house, if submitted for review prior to printing and deemed nonthreatening.

Section III. Status of Societal Respect for Religious Freedom

Conflict between different religious groups was rare, and there did not appear to be a widespread animus of one religious group against another. Some Muslim leaders, however, occasionally expressed the opinion that minority religious groups undermined national unity and complained that laws and regulations give preference to religious minorities. The Government's restrictive religious policy is applied to all religious groups, although many believe it affects Muslims to a greater extent because they constitute the majority of the population.

Women have seen social and educational gains made in the 20th century erode in recent years, in part because of deteriorating economic conditions. Increasing religious conservatism has contributed to this trend, and government policies have not been successful in stopping or reversing it.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

The U.S. Embassy monitored ongoing religious freedom problems and issues that could potentially become abuses of religious freedom, including religious legislation, registration problems, court cases that might have been motivated by religious intolerance, and the destruction of houses of worship. The Embassy advocated on behalf of religious organizations when the Government exerted restrictions that infringed on their members' religious freedoms.

Embassy officers regularly met with leaders from all religious groups, the Government, and international organizations to discuss religious freedom concerns and to underscore the U.S. Government's commitment to religious freedom. The Embassy supported programs to create a better understanding of how democracies address secularism and religious freedom.

The Ambassador hosted an iftar in September 2008 for imams and religious activists. The Ambassador and other Embassy officers regularly spoke with students and held roundtables on human rights and religious freedom. In 2008 and 2009 Embassy officers discussed the 2008 International Religious Freedom Report with journalists, religious leaders, and political figures in Dushanbe, Sughd, and Khatlon.

In late 2008 the Embassy sent a scholar on religious history from the Tajik Academy of Sciences to conduct research and teach in the United States for two months under the Direct Access to the Muslim World Program. In mid-2009 the Embassy sent five imams to learn about religious life in the United States under the International Visitor Leadership Program.

The U.S. Department of State continued to support youth summer camps managed by American Councils at various locations in the country. The mission of the camps is to reach out to Muslim youth ages 8-14 who are at risk of becoming targets of a terrorist organization's recruiting efforts and exposing them to positive messages about the

United States.