



Tajikistan

International Religious Freedom Report 2008

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

Respect for religious freedom continued to decline during the period covered by this report. 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 a concern about Islamic extremism, and government officials used these concerns to justify imposing restrictions and engaging in surveillance. The Government closed many unregistered mosques and prayer rooms but subsequently allowed most of them to reopen. The Government demolished three unregistered mosques in Dushanbe, as well as the only synagogue in the country. The Government sought to influence Islamic practice by controlling the operation of mosques through the registration process and indirectly controlling the selection of imams. The Ministry of Education imposed measures that hindered students' religious expression, including an unevenly enforced ban on girls wearing hijabs, a Muslim head covering, at public schools and universities. The Government used the registration process to hinder some religious organizations and banned three others, and members of other religious organizations faced harassment by government authorities.

Society is generally tolerant of, and open to, religious diversity. Government restrictions disproportionately affected Muslims, although the Government also targeted religious organizations that it deemed to have "foreign influences." Some government officials occasionally expressed their opinions in the press that minority religious groups undermine national unity.

The Government controls 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 confessions. 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 7 million. An estimated 97 percent of citizens consider themselves Muslims, although 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 vast majority of Muslim inhabitants adhere to the Hanafi school of Sunni Islam. Approximately 4 percent of Muslims are Shi'a, the majority of whom are Ismailis. Most Ismailis reside in the remote eastern Gorno-Badakhshan Autonomous region as well as certain districts of the southern Khatlon region and in Dushanbe, the capital. An unregistered Muslim group, the Salafis, has taken on a more prominent profile in recent years, particularly in Dushanbe, Sughd, and Khatlon. An estimated 5,000 Salafis practice in the country, which has aroused the concern of the Government.

There are 85 non-Muslim groups registered with the Department of Religious Affairs (DRA) at the Ministry of Culture. Approximately 150,000 Christians, mostly ethnic Russians and other Soviet-era immigrant groups,

reside in the country. The largest Christian group is Russian Orthodox, but other registered organizations include Baptists (five organizations), Roman Catholics (two), Seventh-day Adventists (one), Jehovah's Witnesses (one), Lutherans (no data available), and Korean Protestants, which include the SunMin Church (two). The DRA previously estimated the number of Christian converts since independence at up to 3,000 persons. Other religious minorities include Baha'is (four registered organizations), Zoroastrians (no data available), and Jews (one). Each of these groups is very small, and nearly all their members live in Dushanbe or other large cities. An estimated 0.01 percent of the population is atheist or does not belong to any religious denomination.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the Government continued to exert control over most aspects of religious practice. During the period covered by this report, President Rahmon continued to strongly defend "secularism." The Government appears to have a significant fear of Islamic extremism and of "outside influences" it considers possible threats to its control. There is no official state religion.

The Government recognizes two religious holidays as state holidays--the Islamic holy days of Idi Ramazon (Eid Al-Fitr) and Idi Qurbon (Eid al-Adha).

The Law "On Religion and Religious Organizations" restates the right of individuals to choose, practice, and change their religion, and protects the right of persons to proselytize. However, in practice the law establishes a framework for government controls, and the authorities, including those in the justice system, did not always rigorously enforce the law in a nondiscriminatory fashion.

According to the law, religious communities and institutions must be registered by the DRA, which is a part of the Ministry of Culture. The DRA and local authorities share responsibility for the registration of neighborhood mosques and must agree on the location of a proposed mosque. The DRA is also the primary authority for registration of non-Muslim groups; however, such groups must also register their place of worship with local officials. The official justification for registration is to ensure that religious groups act in accordance with the law; however, some religious groups alleged that the practical purpose is to ensure that they do not become overtly political.

To register with the DRA, a religious group must submit a charter, a list of at least ten members, and evidence of local government approval of the location of a house of worship, if one exists. Religious groups are not required to have a physical structure in order to register, but they cannot hold regular meetings without one. Individual believers--up to ten persons--do not have to register with the DRA in order to worship privately. According to the DRA, local authorities may object to the registration of a place of worship only if the proposed structure does not meet sanitation or building codes, or if it is located on public land or immediately adjacent to government buildings, schools, or other places of worship. If the local government objects to a proposal, the religious community requesting permission must suggest an alternative. In the absence of registration, local authorities can force a place of worship to close and fine its members.

Government officials continued to consider revisions to legislation that would replace the existing law on religion, but the Government was not fully transparent in the drafting process. Since 2006 representatives from religious groups, civil society, and the international community had raised concerns about numerous restrictions in the draft law, and in November 2007 government officials finally agreed to discuss it in public. Civil society groups raised numerous concerns about provisions that regulate the registration and legal status of religious groups and associations, restrict religious education and literature, and limit other aspects of religious expression. Muhiddin Kabiri, the Islamic Revival Party of Tajikistan (IRPT) chairman and one of a handful of opposition party members of Parliament, introduced an alternative to the Government's religion law in the lower house of Parliament in early 2008. There was never any debate of the draft, apparently in violation of parliamentary procedure. By the end of the reporting period, the Government had not introduced an updated version of the law. However, government officials appeared to be implementing parts of the draft law during the reporting period, despite the fact that it had not been passed.

The Law on Observing National Traditions and Rituals regulates private celebrations. The stated intent of the law was to protect the public from spending excessive amounts of money on parties. The law, however, limits individuals' abilities to have private celebrations that also 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 traditional rituals. Government officials monitored weddings and funerals to ensure parties obeyed the new law and fined some who broke it. In December 2007 parliamentarians, again citing the need to curb excessive spending, introduced a bill that would ban witchcraft and regulate fortune tellers. By the end of June 2008, the bill had not been passed.

The administrative infrastructure is similarly restrictive. Government institutions monitored the activities of religious groups to keep them from becoming overtly political or espousing "extremist tendencies," and some local administrative offices misinterpreted the term "secular state" to require a government bias against religion.

The country has approximately 2,842 registered mosques for daily prayers. So-called Friday mosques (larger facilities built for weekly Friday prayers) must be registered with the DRA. There are approximately 260 such mosques registered, not including Ismaili places of worship. Only one such mosque is authorized per 15,000 residents in a given geographic area. Many observers contend that this is discriminatory because no such rule exists for other religious groups.

The Council of Ulamo, a committee of Islamic clergy members, provides interpretations of religious practice that imams throughout the country are expected to follow. The Council is in theory an independent religious body, but in reality it is heavily influenced by the Government. Members of the Council are selected by delegates (a group of scholars and imams), but those who are elected to the Council are perceived to be loyal to the Government. The decisions of the Council are perceived to be expressions of government policies.

There are 19 madrassahs at the college level and one Islamic institute. The Government gradually took steps to bring what was the Islamic University under its control, subjecting teachers to a vetting process and placing its administration under the Ministry of Education in January. The Ministry downgraded the university to an "Islamic Institute" (a level below that of university) and initially demanded that male teachers and students wear jackets and ties and shave their beards; the Ministry also forbade female students from wearing hijabs, a Muslim head covering. Later, the director of the institute announced that the Ministry of Education would allow teachers to keep their beards and allow women to wear hijabs. Private religious schools are permitted, but they must register. The Government did not close any madrassahs during the reporting period.

The law does not prohibit parents teaching religious beliefs to their own children in the privacy of their homes, but restrictions exist that prohibit homeschooling children outside of the family. There were also reports of authorities in the southern region directing Muslim leaders to prohibit school-age boys from attending prayers at local mosques.

The Government issued a textbook on the history of Islam to high schools in 2005, 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.

A 1999 constitutional amendment permits religiously-based political parties, although a 1998 law specifying that parties may not receive support from religious institutions remained in effect. During the reporting period, two representatives from the Islamic Revival Party of Tajikistan were members in the lower house of the national Parliament, which has a total of 63 members. There also were 13 deputies from the IRPT in district parliaments around the country. The IRPT is the only legal Islamic political party in Central Asia.

Government-owned publishing houses generally do not publish religious literature but have done so on occasion, including producing copies of the Qur'an. There is no legal restriction on the distribution or possession of the Qur'an, Bible, or other religious works; however, in practice the Government restricted distribution of Christian literature. The IRPT distributes four publications, and an Iranian news agency broadcasts a daily radio program. An executive decree generally prohibits publishing houses from publishing anything in Arabic script; however, some have done so in special cases, if they presented the material for review prior to printing. This "ban" is thought 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.

The Government continued its ban on Hizb ut-Tahrir (HT), an extremist Islamic political movement, and authorities arrested and detained its members. On March 11, 2008, the Supreme Court ruled that the group was an "extremist organization." While the group has been outlawed since 2000, the Supreme Court decision justified tighter restrictions on its presence on the Internet and its use of media to promote its ideology.

Restrictions on Religious Freedom

Government officials, including members of the State Committee on National Security, monitored operations of mosques throughout the country. Officials attended services in order to listen to messages that imams delivered and observe those who attended the mosques, and examined audio and video cassettes for evidence of extremist and antigovernment material. While the Government has not outlawed the Salafis, authorities closely watched those whom it deemed to be followers of the sect.

The Government continued to carry out "attestations" of imams, through which it tested imams on their knowledge of Islamic teachings and religious principles. Imams could be dismissed if they did not pass the test. In August 2007 Dushanbe authorities required hundreds of local imams to take a special test of religious knowledge to prove their fitness for the job. Four imams from regular daily praying mosques failed the test and were removed from their positions. The Government organized a seminar for Imam-Khatibs of Friday mosques in Dushanbe to teach them about the various sects of Islam.

Authorities in Isfara continued to tightly control a private madrassah, based on past reports that it had hosted a suspected terrorist. Restrictions on home-based Islamic education remained in place. While these restrictions were primarily due to political concerns, they affected religious instruction.

The DRA continued to control participation in the Hajj and impose restrictions on pilgrims (hajjis), 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. In 2007, 5,500 citizens applied for the Hajj and deposited approximately \$2,700 prior to departure. The DRA, however, had initially failed to make arrangements with Saudi officials to accommodate all who wished to make the trip. Ultimately, 5,000 citizens were able to participate in the Hajj in 2007-08.

A 2004 Council of Ulamo fatwa prohibiting women from praying in mosques remained in effect. The fatwa was generally observed; however, some unregistered mosques unofficially allowed women to pray without consequence. The Council of Ulamo justified the fatwa by explaining that, according to the country's historical tradition, women do not pray in mosques. Some considered the fatwa a political move inspired by the Government under the guise of religious law to reduce the access women have to IRPT messages and their ability to pass religious teachings to their children. Some local officials forbade members of the IRPT to speak in local mosques; however, this restriction reflected political rather than religious differences.

During the reporting period, law enforcement officials continued to remove children found attending mosques during the day. This action was taken after government officials declared that children should be studying in schools, not worshipping in mosques. Some citizens protested and, in at least one incident, stopped the militia from rounding up children by blocking a police van. However, according to media reports, police were usually successful in rounding up children.

In early 2007 the Minister of Education declared that, in accordance with a new dress code for all public educational institutions, girls would not be permitted to wear the hijab. The new policy reinforced the Minister's 2005 statement banning the hijab, but the Government maintained that this was neither official law nor policy. In practice, implementation of this rule was uneven throughout the country. Many female students and teachers were expelled from school for wearing hijabs; there was no official government reaction to the ongoing expulsions.

The Government continued to restrict the activities of Jehovah's Witnesses. In April and May 2007 the Government confiscated religious literature that members of Jehovah's Witnesses had attempted to bring into the country. In October 2007 the Ministry of Culture banned the group and separately suspended for 3 months the activities of the Ehyo Protestant

Church and the Abundant Life Christian Center. The Ministry based its decision on the Jehovah's Witnesses on claimed violations of the Constitution and the Law on Religion and Religious Organizations, saying that the Jehovah's Witnesses distributed "in public places and at the homes of citizens...propagandistic books on their religion, which have become a cause of discontent on the part of the people." The group, which has been lawfully registered since 1994, filed lawsuits against these actions; proceedings had not concluded by the end of the reporting period.

Similar procedural shortcomings were reportedly cited by the Ministry of Culture to justify the suspension of the other two groups, despite the fact that the Ehyo Protestant Church had been legally registered since 2001 and the Abundant Life Christian Center since 2003. As of the end of the reporting period, their activities were still suspended, despite the expiration of the 3 month period cited in the suspension notification. Due to governmental pressure, Abundant Life reportedly stopped its activities.

In April 2008 a Dushanbe court suspended the activities of ORA International, a nondenominational Christian relief organization. The court found that ORA had been engaging in "illegal activity in Khatlon Province," based on information provided by the Ministry of Justice that ORA was disseminating "religious propaganda" to teenagers through its English language courses. The Ministry warned the organization that it would be banned if it did not correct the problems identified by the Ministry of Justice by the end of summer 2008.

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. In April 2008 the Government refused to allow a shipment of books by a Baptist organization and returned the shipment to its place of origin, arguing that the size of the shipment was disproportionate to the organization's membership.

Beginning in April 2007 government authorities confiscated and prohibited the release of religious literature imported by Jehovah's Witnesses, despite the group obtaining permission and proper documentation. In a written statement presented to the Jehovah's Witnesses on June 15, 2007, the DRA stated that the literature has a negative impact on the country and recommended that authorities not release the literature. At the end of the reporting period, the case was still under consideration by a military court, as was the organization's appeal of the government ban.

Asolat, an independent religious newspaper, was founded in March 2008 and registered by the authorities. The stated aim of the paper was to present information and commentary on Islamic law and practice. However, the founder was unable to find a publishing house--neither private nor public--that would agree to print the paper.

Missionaries of registered religious groups are not restricted by law; however, those who proselytized openly encountered difficulties. Missionaries were not welcome in some local communities, and some religious groups experienced harassment in response to their evangelical activities. During the period covered by this report, there were no reports of visa restrictions for Muslim missionaries.

Abuses of Religious Freedom

The Government reported that approximately 40 persons were detained for extremist activities in 2007. This number included those arrested for membership in HT. Many speculated that the Government used the HT or extremist labels to harass or arrest its opposition, including members of the intelligentsia and teachers. HT members can receive a sentence of up to 12 years in prison.

During the period covered by this report, the Government questioned members of various Christian denominations on several occasions. Government officials accused some citizens of betraying Islam by converting to Christianity. During the interrogations, government officials verbally harassed and threatened the Christians. On two occasions in April and May 2007 government officials allegedly beat a member of the Jehovah's Witnesses they brought in for questioning.

Government officials detained the Imam-Khatib of a Friday praying mosque near Dushanbe for 4 days in December 2007. Authorities questioned him about members of the Salafi sect who had reportedly prayed in his mosque for a short period. Once the authorities were convinced that he was not under the influence of the Salafis, they released him.

The Dushanbe city government continued to harass the Grace Sun Min Church over property rights. The Church lawfully obtained rights to use property in Dushanbe in the late 1990s; however city authorities have attempted to take away these rights for several years. In December 2007 the Supreme Economic Court issued another ruling rebuffing the city's claims. While city authorities' motives were primarily economic, their harassment of the Church interfered with its normal operations.

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. Observers criticized the lack of procedural transparency--and fairness--afforded the Community in this process, as well as authorities' unwillingness to adequately compensate the Community. Attempts to wrest the land from the Community had gone on for several years, and in 2006 city officials demolished some of the buildings used by the Community. City officials and community leaders were unable to reach a compromise to relocate the synagogue or pursue an alternative solution. At one point authorities reportedly offered land in a remote location of the city for a new synagogue but stated the Government could not provide compensation for a building, citing "separation of church and state."

Authorities reportedly informed representatives of Noni Hayat (Bread of Life), a Protestant church located not far from the synagogue in Dushanbe, that they should vacate their building by early July 2008, as it also was scheduled for demolition.

In November 2006 local authorities in Kairokkum from the Ministry of Interior, the Prosecutor's Office, and the State Committee on National Security temporarily detained and interrogated two Jehovah's Witnesses members for discussing the Bible with local citizens. The authorities verbally abused the members and threatened to rape and kill them if they continued to preach in the city. After 5 hours of questioning, authorities released the members. Authorities from the State Committee on National Security officially told the Jehovah's Witnesses that the members were detained because they lacked identification documents and permission from local authorities to preach in Kairokkum.

In December 2006 the Khujand City Court convicted IRPT member Mukhtorjon Shodiev and sentenced him to 9 months in prison for inciting violence and calling for an overthrow of the Government. Shodiev and the IRPT argued that the charges were false and politically motivated.

In September 2006 the Tursonzade City Court convicted and fined a member of Jehovah's Witnesses for conducting religious education without a permit. The Witness maintained that she was having a private Bible discussion with another adult in her home. The case rose to the Supreme Court, which upheld the city court's decision and ordered the Witness to pay a fine of \$29 (100 Tajik Somonis).

There were no further developments in the May 2006 death of IRPT member Sadullo Marupov, who fell from the third story of a police station in Isfara, a town in the northern Sughd region known for its strong Islamic roots. Officials stated that Marupov committed suicide; however, IRPT members refuted the official statement and claimed that police killed Marupov, and had tortured him during an earlier detention. Officials alleged Marupov was a member of Bay'at, a group the Government has labeled extremist, although some observers have questioned whether Bay'at even exists. The Government arrested three guards in connection with the case and subsequently released them with an administrative fine.

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 of the refusal to allow such citizens to be returned to the United States.

Improvements and Positive Developments in Respect for Religious Freedom

Officials continued to gradually ease prohibitions on the use of loudspeakers by mosques. Dushanbe authorities permitted some mosques to use loudspeakers, provided the sound was directed towards the

interior of the mosque. Mosques in the Sughd and Khatlon regions openly used loudspeakers directed away from the mosque for the daily call to prayer without facing prosecution.

During the reporting period, women were increasingly permitted to be photographed for official identification while wearing the hijab, particularly to participate on the Hajj.

The Government also relaxed the "ban" 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 to be nonthreatening.

In contrast to previous years, there were no reports of arrests of high-profile Muslims.

Section III. Societal Abuses and Discrimination

Conflict between different religious groups was rare, and there does not appear to be a widespread animus by one religious group against another. However, some Muslim leaders 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 country's 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 on them that infringed on their members' religious freedoms. The Embassy's close cooperation with civil society and international organizations contributed to the Government's decision to reconsider passage of a restrictive law on religion.

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 designed to create a better understanding of how democracies address the issues of secularism and religious freedom.

The Ambassador hosted an Iftar dinner in September 2007 for imams and religious activists. The Ambassador and embassy officers regularly spoke with students and held roundtables on human rights and religious freedom issues, including discussions about the Ministry of Education's policy against the hijab in public schools and universities.

In July 2007 the Embassy sponsored discussions with local students on Islam and Youth in Tajikistan at American Corners in Khujand and Dushanbe. The discussions were led by a Fulbright fellow and embassy policy specialist who was conducting her research on "Islam and Youth in Tajikistan." In November 2007 embassy officers discussed the *2007 International Religious Freedom Report* with journalists, university students, religious leaders, and political figures in Dushanbe, Sughd, and Khatlon.

With U.S. government funding, Relief International Schools Online opened an Internet Learning Center (ILC) in October 2007 at the Islamic University. The program connects students to the Internet and provides English lessons to 25 students and 12 teachers. ILC visitors participate in web chats with Americans and students around the world on topics such as human rights, education, and the independence of Kosovo. More than

2,000 students have used the ILC since it opened.

The U.S. State Department selected American Councils to manage Youth Enrichment Program (YEP) camps at four locations in the country in summer 2008. The mission of YEP is to reach out to Muslim youth ages 9-16 who might become targets of a terrorist organization's recruiting efforts and instead expose them to the United States. With this in mind, camps were scheduled to be held in Gharm and Isfara, areas where extremist groups have been active.

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