

Freedom of religion or belief in Tajikistan

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Forum 18 provides truthful, original, detailed, and accurate monitoring and analysis of violations of freedom of thought, conscience and belief in Central Asia, Russia, Russian-occupied Ukraine, government-held Ukraine, Belarus, and the South Caucasus particularly Azerbaijan.

Tajikistan's regime seriously violates its freedom of religion and belief obligations, along with interlinked human rights such as the freedoms of expression, association, and assembly¹. President Emomali Rahmon has run the country without free and fair elections² since 1992, and remained in power after the 1992-7 civil war. From May 2022 onwards the regime has violently suppressed peaceful protests against injustice in the Mountainous Badakhshan Region in the south-east of the country³. Forum 18 has documented freedom of religion or belief violations including but not limited to: a ban on and punishments for all exercise of freedom of religion or belief without state permission; severe limitations on numbers of mosques and on Muslims following their own religious rituals; targeting men who wear beards and women who wear the hijab; jailing Muslim, Jehovah's Witness and Protestant prisoners of conscience on alleged "extremism" charges for exercising freedom of religion and belief; and impunity for torture.

As former United Nations (UN) Special Rapporteur on Freedom of Religion or Belief Heiner Bielefeldt noted in his August 2016 report (A/71/269)⁴, the freedom of religion or belief is linked to other freedoms, including freedom of expression and freedom of peaceful assembly and association. "There can be no free religious community life without respect for those other freedoms, which are closely intertwined with the right to freedom of religion or belief itself," he observed. "This is exactly what worries authoritarian Governments and often causes them to curb freedom of religion or belief."

This briefing concentrates on some, but not all, freedom of religion and belief issues documented by Forum 18.

Ismaili Muslim religious leader jailed

On 26 July 2022 the National Security Committee (NSC) secret police arrested Muzaffar Davlatmirov, a 59-year-old Ismaili religious leader in Khorugh. Just eight days later, on 3 August, Badakhshan Regional Court handed him a five-year prison sentence under Criminal Code Article 307-1 ("Public calls for extremist activity"), Part 2 ("committed using the mass media or the internet"). The possible punishments are between five and 10 years jail. This article has been used by the regime to target a variety of Muslims.

¹ See the reports of other human rights violations provided by Human Rights Watch <https://www.hrw.org/europe/central-asia/tajikistan>, and Freedom House <https://freedomhouse.org/country/tajikistan/freedom-world/2022>.

² OSCE/ODIHR Elections in Tajikistan <https://www.osce.org/odihr/elections/tajikistan>

³ Human Rights Watch <https://www.hrw.org/news/2022/08/23/tajikistan-autonomous-region-protectors-denied-fair-trials>

⁴ "The broad range of violations of freedom of religion or belief, their root causes and variables", Report to the General Assembly, August 2016 <https://undocs.org/A/71/269>

Details of specific freedom of religion or belief violations are at <https://www.forum18.org/archive.php?country=31>

Forum 18's December 2020 overall survey analysis is at https://www.forum18.org/archive.php?article_id=2625

“That Davlatmirov was arrested on 26 July and in early August given a prison sentence shows that the Court is a theatre,” Independent journalist Anora Sarkorova commented to Forum 18 on 7 October 2022. “The order came from the central authorities, and the Court had to sentence him quickly,” she noted.

Khorugh is the capital of the Mountainous Badakhshan Autonomous Region (also known from Russian as Gorno-Badakhshan). The region has seen increasing repression by the regime since a local resident was in November 2021 killed by security forces. As Bruce Pannier has observed on bne IntelliNews, the region has a history of independence from the regime and the Ismaili Aga Khan Foundation has played a large role in the region's development⁵.

“Davlatmirov was widely known and respected by the local Ismaili people,” independent journalist Sarkorova told Forum 18. She noted that he had criticised the regime's religious policies, and argued for the preservation of local Pamiri traditions. Davlatmirov also, she stated, criticised the regime's violent suppression in May 2022 of peaceful protests. The suppression of protest is claimed by the regime to be an “anti-terrorism operation.”

Independent journalist Sarkarova commented that the regime did not like the fact that Davlatmirov was respected in the region, and that he could influence people. She thought it was possible that prisoner of conscience Davlatmirov was jailed because he said the janaza (funeral) prayers at the funeral in May 2022 of three local informal leaders killed during the regime's violent suppression of peaceful protests.

Mountainous Badakhshan regional government spokesperson Gholib Niyatbekov refused to comment when Forum 18 noted that prisoner of conscience Davlatmirov did not violate the law by praying at funerals. Police Major Azamat Oshurmamadov, who commands “anti-terrorism” police operations in the region, Regional government spokesperson Niyatbekov, Judge Abdukhanon Nazarzoda of Badakhshan Regional Court, and a Supreme Court official who refused to give his name all refused to state what exactly Davlatmirov did that led to the five-year jail term.

“Davlatmirov is not an extremist, and did not call for 'extremist' activity,” a local person who knows him and wished to remain anonymous for fear of state reprisals told Forum 18. In August 2022, after prisoner of conscience Davlatmirov was sentenced, the Justice Ministry's Department for the Execution of Criminal Punishments sent him to serve his sentence in General Regime Prison YaS 3/6 in Yavan in the south-western Khatlon Region. For months afterwards prisoner of conscience Davlatmirov's relatives and friends were not told where he was held.

“Prisoners in Yavan are very cold,” Sarkorova added. “They ask their relatives to send blankets and mattresses.” She said the food served up to prisoners is inedible. “Relatives buy everything, from food to toilet paper. Prisoners club together to buy kettles.” Prisoners are allowed to call their relatives, but must speak in Tajik so that a warder sitting next to them can understand what they are saying.

Forum 18 has been unable to find out if Davlatmirov can pray undisturbed, and whether he is able to have religious books of his choice. The telephone of General Regime Prison YaS 3/6 was not answered at any time Forum 18 called on 21 or 22 February 2023. An official, who refused to give her name, in the Prisons Department of the Justice Ministry's Chief Directorate for the Enforcement of Criminal Punishments in Dushanbe refused to discuss Davlatmirov's imprisonment with Forum 18 on 14 February.

⁵ <https://www.intellinews.com/tajikistan-s-unprecedented-gbao-crackdown-threatens-a-centuries-old-culture-25407>
Details of specific freedom of religion or belief violations are at <https://www.forum18.org/archive.php?country=31>
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There are now (July 2023) at least 19 known prisoners of conscience currently jailed for exercising freedom of religion or belief, all of whom including prisoner of conscience Davlatmirov are Muslim men (see below).

Serious violations of Ismaili Muslims' freedom of religion or belief

As the regime violently suppressed peaceful protests in Mountainous Badakhshan in May 2022, it also closed down all Ismaili prayer houses in the region and closed educational and cultural activities of the Ismaili Education Centre (opened in 2018) in Khorugh. Ismaili Muslims meet for worship in centres (which also host educational and cultural events), prayer houses, or private homes. The two Ismaili centres in Tajikistan - in Khorugh and in Tajikistan's capital Dushanbe – are open, but only for prayers. Officials have banned the centres from conducting any educational or cultural activities.

The Ismaili branch of Shia Islam in Tajikistan is mainly found in Mountainous Badakhshan. Worldwide, the community is led by the Aga Khan. Ismaili centres are very important for the community, fulfilling a wide range of spiritual, educational, and cultural purposes.

No official notification or reason was given – including from the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) - for the closures or how long they will last. However the SCRA has announced that a group of “experts” will decide this. SCRA officials and a Supreme Court official who refused to give his name all refused to discuss the closures with Forum 18.

Regional government spokesperson Niyatbekov insisted to Forum 18 that no Ismaili prayer houses were closed, and the Education Centre in Khorugh was also not closed. “You have totally wrong information,” he claimed, “Ismailis attend the prayer house [in Khorugh] day and night. It is always open.”

At a 14 January 2023 meeting in the Mountainous Badakhshan regional capital Khorugh, regime officials told village elders not to allow Ismaili prayers in homes and warned that those who take part would be fined. The elders were instructed to pass on this message to local people. Local administrations in the Region have issued at least two summary fines on Ismaili Muslims in 2023 to punish hosting prayers in homes. The home owners were fined about one month's average wage each.

“People met outside the elders' homes to hear the news and many were crying,” an Ismaili told Forum 18. “But people are too afraid to protest. They can only pray at home on their own.” Older people said it was too difficult for them to reach the only place in Mountainous Badakhshan where Ismailis can still meet for worship – their centre in Khorugh.

At the January 2023 meeting, officials also insisted that local people must remove portraits of the Ismaili spiritual leader, the Aga Khan, which hang in places of honour in homes. Officials had earlier complained of such portraits in the centre in Dushanbe. The Aga Khan has not been allowed to visit Tajikistan since 2012 – the regime rejected his attempt to visit in 2017 during his Diamond Jubilee visits to Ismaili communities in more than 10 countries.

Officials also said that young Ismailis would no longer be allowed to travel to Britain for education at the Institute of Ismaili Studies. The regime has long tried to prevent people of any faith from travelling abroad for religious education.

In late January 2023, the authorities in Mountainous Badakhshan Region banned voluntary lessons for secondary-school age children based on a course book published by the Aga Khan Foundation. The secret police have begun seizing copies of the Tajik-language set of course books, “Ethics and Knowledge.” The spokesperson for the Education and Science Ministry in Dushanbe told Forum 18 it had “no information” about any ban in Mountainous Badakhshan on the Ethics and Knowledge course. “We have not banned anything,” he insisted. Officials at the Mountainous Badakhshan Administration put the phone down as soon as Forum 18 introduced itself.

No SCRA officials would discuss anything with Forum 18. An official of the regime's Human Rights Ombudsperson's Office in Dushanbe said two of its officials were away on a work trip. The telephone of the Ombudsperson's Office representative in Khorugh went unanswered

It is unclear exactly whether the regime has any specific reason for increasingly targeting companies and organisations linked with the Aga Khan, or whether this is part of the regime's overall increasing repression within Mountainous Badakhshan. It is possible that the regime's hostility stems from its suspicion that Ismailis respect the Aga Khan more than President Emomali Rahmon, who has never faced a free and fair election.

Islamic community particularly targeted for repression

The main but not only regime agency responsible for restricting freedom of religion or belief is the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA).

Perhaps because Islam is the majority faith – and so independent non-state controlled Islam is a target for a government hostile to everything outside state control – the Islamic community is singled out for special restrictions in the Religion Law, as well as in arbitrary official actions. There is also an extra-legal ban on Islamic preaching in all but the largest mosques, designated as Central cathedral mosques, medium sized ones as Cathedral mosques, and the smallest as Five-fold mosques. Among restrictions are limitations on the numbers of mosques allowed per head of population, non-permitted mosques being demolished.

Both mosques and Protestant churches have been forcibly closed by the regime. In the case of mosque closures regime officials are apparently proud of the closures, and have claimed that the closures happened at the request of mosque congregations. Local Muslims have strongly rejected such claims.

Protestant churches have been closed either because of alleged problems with their charter, because of allegedly “extremist activity”, or because officials wish to use the building for other purposes. Local Protestants have rejected all these claims. Khujand City Administration's chief religious affairs official, Mukhsin Mirkamolov, claimed to Forum 18 after a group of Protestant churches were forcibly closed in 2017: “All religions are free in Tajikistan and the state does not interfere in their activity.”

Mosque closures continue. In the northern city of Khujand, officials confiscated the Nuri Islom (Light of Islam) Mosque and in January 2020 turned it into a cinema. One local Muslim asked “why didn't the authorities instead restore the old Bahor Cinema building on Syrdarya Street [in the town centre], which is now empty and unused?” Mirzo Salimpur of independent news site Akhbor.com told Forum 18 that many local Muslims protested against the confiscation, stating that “it is a sin to show films in the mosque building.”

A Sugd Regional Administration official variously claimed that the mosque “had become a breeding ground for suspicious people” and that “the Mosque community closed it.” Officials have used this excuse before, and the Sugd official would not answer when Forum 18 asked why community members wanted to close their own mosque. A human rights defender, who wished to remain unnamed for fear of state reprisals, told Forum 18 “many of the closed-down mosques like Nuri Islom have been turned into libraries, culture houses, etc. This is just like in the old Soviet Union.”

“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 in February 2019. “Imams are known to share all information on mosque community members with state agencies.” Mosque-goers are closely monitored, including with surveillance cameras in mosques. One human rights defender pointed out to Forum 18 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 the SCRA has refused to explain to Forum 18 why it collects money from mosques.

The regime has been continuing to implement its existing restrictions on Muslims exercising their freedom of religion or belief. On 24 February 2022, President Rahmon gave a speech stating – in words omitted from the published version of the speech: “People must come to mosques only for prayer, and leave after the prayer. A mosque must not be a place for gatherings and discussions.” One human rights defender suggested to Forum 18 that Rahmon “is afraid that people may discuss and criticise his religious policies among other things.” Only state-appointed imams are allowed to read state-dictated sermons in state-permitted mosques.

Rahmon's February 2022 speech also called for “serious measures against religious education without state permission”, which the regime has banned – including closing all madrassahs (Islamic religious schools). Rahmon claimed that “the number of cases of illegal religious education has increased lately, which can lead to serious consequences.” He claimed that individuals had been punished for “teaching religion to 1,662 teenagers in 367 cases.”

On 2 September 2022, the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) announced that it had in late August and early September closed all Islamic bookshops in Dushanbe as well as some publishers which printed Islamic literature. SCRA Deputy Chair Farrukhullo Olimzoda, Deputy Chair Khuseyn Shokirov, and the Deputy Head of the section responsible for work with religious communities Saidakhmad Saidjafarov all refused to discuss the closures with Forum 18. SCRA Deputy Chair Abdurakhmon Vahhobzoda told journalists on 3 February 2023 that the Dushanbe religious bookshops had been closed because of the illegal import and sale of religious books, their lack of an “expert” analysis from the SCRA, as well as alleged complaints from authors that the books had been pirated.

SCRA Chair Sulaymon Davlatzoda added that although the SCRA had given permission to some publishers to produce no more than 5,000 copies of a particular book, “in fact they published a lot more of them.” When the SCRA gives permission to publish or import a religious book, it specifies the number of copies for which it is giving permission.

In early 2023 the regime allowed Islamic bookshops next to Dushanbe's Central Mosque to reopen, but with a restricted supply of religious books. “In bookshops the amount of religious literature has diminished, but now a wide range of namaz prayer mats and beads have appeared there,” Radio Free Europe's Tajik Service noted on 3 February. “We were allowed to reopen our shops,” one of the shop owners told Radio Free Europe, “but the quantity of religious literature is sharply limited. Buyers are interested in the Holy Koran and other religious books, but when they find out that they are not on sale, they get upset and go home with empty hands.”

Ban on beards and hijabs

The regime’s targeting of women who choose to wear the hijab intensified in March 2021, human rights defenders including Muslim women have told Forum 18. Male police officers, sometimes with female collaborators, apparently increased their questioning of women wearing hijabs in streets, markets, and other public places. The women officials stop are then ordered to stop wearing hijabs. The regime also stations female collaborators – supposedly from the State Committee for Women and Family Affairs - at the entrance to schools, hospitals and other public buildings for the specific purpose of stopping women in hijabs from receiving healthcare and other public services.

One human rights defender witnessed male police officers, with female officials from an unknown state agency, stopping individual hijab-wearing women in the street in early July 2021. “When they saw a woman in a hijab the male and female officials immediately encircled the woman.” The human rights defender witnessed the male and female officials “speaking to women very rudely and harassing them if they refused to take off their hijab.”

The police, the State Committee for Women and Family Affairs, and the Interior Ministry all refused to explain to Forum 18 why male police officers nationwide are not stopped from deliberately and publicly bullying and harassing women wearing hijabs.

A Muslim woman told Forum 18 that in June 2021 she saw a new poster at the entrance of a hospital depicting a Tajik woman in a traditional dress and cap. A caption described this as “the recommended dress code for women.” Another Muslim woman who wishes to remain anonymous for fear of state reprisals told Forum 18 how she was refused entrance to a hospital by women claiming to be from the State Committee for Women and Family Affairs. “They insisted that any woman with a hijab had to remove their hijab to get into hospital, as they claimed it is against Tajik morals and tradition. While I was at the hospital entrance at least 10 other women were stopped from getting treatment they needed.”

“Every day, in addition to normal receptionists and security staff, officials or individuals collaborating with police stand at the entrance to schools, polyclinics, and other public buildings in Dushanbe and other cities,” one human rights defender observed. “Their aim is to stop women wearing hijabs from entering.” Hospital staff and the Health and Social Protection Ministry did not want to discuss with Forum 18 why women and their relatives are being denied treatment.

Such targeting of women wearing the hijab continues, human rights defenders and Muslims stating that such cases seem at present to be isolated and not large-scale. One Muslim woman, who asked not to be named for fear of state reprisals, told Forum 18 in July 2022 that “I have been afraid ever since I saw a police officer forcibly take a hijab off a woman's head in front of a shopping centre.” She added: “I heard his shouts and insults against her, and I ran away.” The woman told Forum 18 that “now I don't go beyond my district when I go out to buy groceries. I don't want to stop wearing the hijab, so I try to avoid the police.” Universities are also enforcing a beard and hijab ban, and one university has also banned women from wearing a Tajik traditional shawl. Police in Dushanbe are also known to have enforced the ban with visits to schools.

In 2018 the Interior Ministry Press Secretary confirmed to Forum 18 that there is no law banning hijabs or beards, but refused to explain why the regime has banned them. No Education Ministry official, from the First Deputy Minister downwards, has been able to give a legal reason for the beard and hijab ban.

Banning other Islamic traditions

The regime has also banned the carrying out of many Islamic rites and ceremonies. From 2017 the Traditions Law introduced numerous new restrictions on freedom of religion and belief and interlinked human rights include: the banning of the normal celebratory meals to honour pilgrims returning from the haj; requiring everyone to respect an undefined “national dress”; banning the customary offering of food on the 3rd, 7th and 40th days after a funeral; makes the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) responsible for defining what procedures should be followed for funerals and the subsequent mourning period; and makes the government responsible for organising all haj and umra pilgrimages to Mecca. (Human rights defenders think that this is “to receive money from all for travels and more easily control the pilgrims.”)

On 28 April 2023, Emomali Rahmon signed into law a Decree imposing the Procedure for “burying the bodies of terrorists neutralised in the course of a counterterrorism operation.” The Procedure states that state authorities “determined by the organs of the initial investigation” are to bury such individuals at a place the states chooses, “and the place of burial must not be revealed to anyone.” Burial records must not give the name of the individual, and the dead are to be transported to the place of burial in closed coffins which must not be examined.

The most immediate targets of the Procedure are Ismaili Muslims and others in the Mountainous Badakhshan Region who have been killed by regime forces in a so-called “anti-terrorism operation” since November 2021. A human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 that “I think the authorities want to punish the relatives of those they killed, as well as publicly threaten that people who protest against the government will die and will not be buried as Muslims. This is all done to scare the public.”

Regime officials in the Presidential Administration, Ombudsperson's Office, Interior Ministry, and State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) have all refused to explain to Forum 18 why the regime has banned families of those killed from burying their dead according to Islamic or other religious rites, and why the regime does not respect its human rights obligations relating to deceased people, their families and friends.

“The authorities are enforcing the Decree violently,” human rights defender and journalist Anora Sarkorova told Forum 18. She knew of a case in early May 2023 when the NSC secret police tortured the relative of a protestor killed in May 2022 after the relative put the deceased's name on the gravestone. The torture took place in the NSC's office in Rushan. The NSC did not answer its phones when Forum 18 called to question officials.

Human rights defenders Sarkorova and Farhod Odinaev both told Forum 18 that the NSC secret police and Interior Ministry have also both recently warned relatives of protestors killed in 2022 not to put up gravestones with the names of the deceased. “If relatives will not listen to the warnings and decide to put up grave stones with names, they threatened the relatives with imprisonment,” Sarkorova told Forum 18.

The regime has also been removing gravestones which relatives of the dead have put up, a human rights defender, who asked to remain anonymous for fear of state reprisals, told Forum 18.

Tajikistan's legally-binding international human rights obligations condemn such regime actions. In separate rulings on Tajikistan relating to men executed earlier under the death penalty, the UN Human Rights Committee used almost identical language to condemn refusal to notify relatives of the circumstances of the death, hand over the body of the deceased, and identify the place of burial (CCPR/C/85/D/985/2001)⁶. The Committee also stated in 2005 that Tajikistan “is also under an obligation to prevent similar violations in the future.”

The regime's “security” forces have killed many people in Mountainous Badakhshan Region during “anti-terrorism” operations since November 2021. Families were not allowed to conduct an Islamic ritual washing of the body themselves, to prevent them from seeing the injuries individuals had sustained, human rights defender Sarkorova added.

At the end of May 2022, Rushan District officials summoned parents from the village of Derzud to a meeting with police and NSC secret police officers after their children visited the graves of the dead. “They were threatened with criminal prosecution if their children visit the graves and read prayers there,” Sarkorova stated.

The regime has long imposed severe restrictions nationwide on how all Muslims bury and mourn their dead. After nationwide intrusive restrictions were imposed in 2017, a human rights defender noted that the “authorities are radicalising Muslims by such actions.” They also commented: “This is stupidity! Instead of finding real terrorists they punish innocent people.”

These bans on Islamic customs are enforced. On 27 June 2022, Elobat Oghalykova tried to attend a concert in a public park close to her home in Spitamen District in the northern Sugd Region. She was wearing a black dress to mark the death of one of her sons, following Tajik Islamic mourning customs for the 40 days after a death is known. She was stopped at the entrance to the park by police, and when she tried to explain that she is mourning the death of one of her sons, and would like to attend the concert, she was taken to Spitamen Police Station, held for around seven hours, and tortured by officers including the Deputy Head of Spitamen Police, Khaydarali Sharifzoda.

⁶ <http://undocs.org/CCPR/C/85/D/985/2001>

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Oghalykova's son told Forum 18 that his mother had visible bruises on her head, hands, legs, and shoulders which were not visible before police arrested her. When she told surgeons that she had been tortured by police, they changed medical reports and warned Oghalykova not to complain about being tortured. Otherwise, one surgeon warned her, the police would inflict worse injuries on her.

Impunity for torturers

Oghalykova on 27 June complained in writing to the Head of Spitamen Police Alijon Raufzoda and Sugd Regional Prosecutor's Office about being tortured. No action has been taken on these complaints. The Head of Spitamen Police and the Interior Ministry refused to explain to Forum 18 why Oghalykova cannot mourn for her son in her own way, why police officers tortured her, and why the regime does not fulfil its obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to both arrest suspect torturers and put them on criminal trial for torture.

There have been multiple instances of impunity for the torture of Muslims, Jehovah's Witnesses, and Protestants. Officials have consistently refused to tell Forum 18 why suspect torturers have not been arrested and put on criminal trial for torture.

Prisoners of conscience jailed for exercising freedom of religion or belief

There are at least 19 known prisoners of conscience currently jailed for exercising freedom of religion or belief, including Ismaili Muslim religious leader Muzaffar Davlatmirov (see above). All are Muslim men.

The most recently known jailings took place on 23 March 2023. Imam Mukhammadi Mukharramov – who is now 50 – was jailed for eight years for privately teaching Islam to a group of 12 Muslim men throughout 2022. The 12 Muslim men – whose names are unknown and whose ages ranged between about 30 and 40 - were along with the Imam arrested on 2 November 2022, and were jailed along with him for terms of between six and nine years.

Imam Mukharramov did not have his own lawyer, but was given a state-appointed lawyer who did not discuss the case with the family, did not give them the indictment, and has not provided a copy of the verdict in the approximately six hearing trial. An official (who refused to give his name) who answered the phone of Dushanbe's Ismoili Somoni District Court Chair Gayrat Sanginzoda refused to discuss the case with Forum 18.

Mukharramov's family told Forum 18 that the 12 Muslim men knew the Imam as someone who could teach them about Islam, so he agreed to meet them. The family understand that, after the meetings began in early 2022, police learned that Imam Mukharramov was meeting with the 12 men to discuss Islam. The family understand that, after the meetings began in early 2022, police learned that Imam Mukharramov was meeting with the 12 men to discuss Islam.

Muslims are under particularly close regime surveillance. “Besides surveillance cameras in towns and cities, every village has state-controlled mahalla committees [local residential administration], youth organisations, and state-controlled activists – spies - whose main task is to inform the authorities on who does what in that locality,” Mirzo Salimpur of independent Tajik news site Bomdod.com told Forum 18 on 14 June 2023.

State-appointed imams – the only type of imam permitted – are known to give information on congregation members to the NSC secret police.

Human rights defender Salimpur commented that the vast majority of Muslims have no opportunity of finding out more about Islam unless they can find a way of privately learning about Islam. The only other opportunity is to gain one of the very small number of university places to study Islamic theology.

Elsewhere, in January 2023 a court fined a Muslim man just over nine months' average wages for privately teaching Islam to his brother's wife from November 2022. Another court fined a Muslim woman just over a month's average wages for teaching the Koran to the eight-year-old daughter of a neighbour.

“Only a tiny fraction of punishments against Muslims whose only guilt is to exercise their religious freedom and practice their religion are known,” Muhammadiqbol Sadridin of the exiled isloh.net website told Forum 18. “This is because people are afraid of talking about their problems.”

Interior Ministry and Prosecutor General's Office officials refused to explain to Forum 18 either why police opened cases against people for teaching religion privately, or why people have to ask for state permission to teach or receive education on the religion of their choice.

In other recently known jailings, Imam Mahmadsodyk Sayidov, Abdugafor Rajabov, and Aslamkhon Karimov were on 4 June 2021 jailed for five years. The 28-year-old Imam Sayidov was the state-appointed imam of the Nonvoyi Poyon [residential district] Mosque in Kulob, which the other two men attended. NSC secret police officers arrested Imam Sayidov immediately after he refused to preach a State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) provided sermon and preached his own sermon instead. Imam Sayidov's own sermon asked why the SCRA described 8 March (International Women's Day) as a “sacred holiday” which Muslims must celebrate while the regime bans the carrying out of Islamic rites and ceremonies.

In February 2021 Imam Sirojiddin Abdurahmonov (widely known as Mullo Sirojiddin) was jailed for five years and six months, along with an unknown number of others, for participation in a private group learning about Islam. “The main purpose of arresting Imam Abdurahmanov was to allow only state-appointed and approved imams to speak publicly,” a human rights defender told Forum 18 after the Imam's conviction. “Most independent imams are now afraid to speak publicly. The regime is struggling for the hearts and minds of people.”

On 10 September 2019, Jehovah's Witness Shamil Rasulovich Khakimov (born 30 January 1951) was jailed for seven years, six months for allegedly “inciting religious hatred.” He was prosecuted for books, other literature, photos, videos, audios, computer files, and mobile phone data seized from him and other community members, which the Prosecutor's Office claimed contain “features of extremist activity.” No evidence was produced that Khakimov or his community had harmed anyone.

Amongst the “evidence” produced was a “state religious expert analysis” of the Tajik translation of the Bible published by the Institute for Bible Translation (IBT) in Stockholm. (The IBT is not linked to Jehovah's Witnesses and its translations are used by a wide range of Christians.) The “expert analysis” was commissioned in 2016 by the Department for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals of Sugd Regional Administration, and was conducted by three local state-appointed imams at the request of the NSC secret police. It concluded: “The book does not correspond to our society of Hanafi Muslims, its propaganda and distribution among the Muslim people does not meet the goals of our society, and its distribution among Hanafi Muslims causes confrontation and schism, and leads to misunderstandings.”

“I am guilty of nothing,” Khakimov told the court. Khakimov's real “crime” seems to be that the regime thought he led Khujand's Jehovah's Witness community.

In September 2021 then-prisoner of conscience Khakimov was stopped from attending his only son's funeral. Both Strict Regime Prison YaS 3/5 Governor Farukh Jalolov and Adam (who refused to give his last name), Chief of the Special Unit (which he refused to describe) on 8 October 2021 refused to say why they refused to allow Khakimov to attend his only son's funeral.

The prison administration, Khujand Prosecutor's Office, Khujand City Court, and the Presidential Administration rejected (often giving contradictory reasons) repeated requests and legal appeals to transfer then-prisoner of conscience Khakimov to a hospital for urgently-needed specialised medical care, against international human rights law. The 72-year-old has multiple medical conditions, including signs of gangrene in his legs, serious eyesight problems, and frequent severe headaches.

On 22 February 2023, Forum 18 asked the governor of Strict Regime Prison YaS 3/5 in Khujand, Colonel Jamoliddin Khushbakhtzoda, why the prison authorities had not transferred Khakimov to hospital for the specialised treatment he needs. Without answering, Colonel Khushbakhtzoda put the phone down. Subsequent calls were not answered. Prison Governor Colonel Khushbakhtzoda, insisted to Forum 18 in July 2022 that then-prisoner of conscience Khakimov's health was fine. “He is given all medical care, whatever he needs.” The UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules, A/C.3/70/L.3)⁷ state that medical decisions must be made by doctors. When Forum 18 asked why the regime does not implement the Mandela Rules, prison governor Colonel Khushbakhtzoda replied – just like his predecessor - “What Rules are you talking about? I haven't heard of these Rules.”

The previous prison governor Farukh Jalolov and a Supreme Court official both in March 2021 also denied to Forum 18 that they knew of the Mandela Rules.

The UN Human Rights Committee in August 2019 Concluding Observations (CCPR/C/TJK/CO/3)⁸ and the UN Committee against Torture's June 2018 Concluding Observations (CAT/C/TJK/CO/3)⁹ have both called for Tajikistan to implement the Mandela Rules for all prisoners.

Former prisoner of conscience Khakimov was released from prison in the northern city of Khujand on 16 May 2023 at the end of his sentence. “He did not receive proper medical attention while in prison, and as a result he developed gangrene in his leg and was in physically painful conditions, but Shamil remained positive by focusing on the Word of God,” Jehovah's Witnesses commented after his release.

⁷ https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf

⁸ <https://www.undocs.org/en/CCPR/C/TJK/CO/3>

⁹ <https://www.undocs.org/en/CAT/C/TJK/CO/3>

*Details of specific freedom of religion or belief violations are at <https://www.forum18.org/archive.php?country=31>
Forum 18's December 2020 overall survey analysis is at https://www.forum18.org/archive.php?article_id=2625*

Former prisoner of conscience Khakimov's sentence bans him from participating in any religious organisation for three years after his release. As he was released from prison, a prison official verbally warned him “not to teach” about his religion, Jehovah's Witnesses told Forum 18. It appears that he is not on probation and does not need to report regularly to police, they added.

Prisoners’ freedom of religion or belief

Former prisoner of conscience Shamil Khakimov was while jailed forbidden to read the Bible openly in the presence of others, Jehovah's Witnesses told Forum 18 in March 2022. “Previously the Bible was taken away from him, but later returned on condition that only he alone would read it.” The prison administration also banned Khakimov from having any conversations with others about God and his faith.

Until early 2020, prison administrations banned jailed members of the banned Islamic Renaissance Party (IRP) from reading the Koran or praying the namaz (daily Muslim prayers). In 2021 they were allowed to pray openly but not to read the Koran, relatives who asked to remain unnamed for fear of state reprisals told Forum 18 in March 2021.

In November 2022, an independent religious expert and several Muslims, who asked to remain anonymous for fear of state reprisals, told Forum 18 that “most prisons have either a mosque or prayer room. Prisoners are only allowed to pray (including the daily namaz prayers) and read the Koran there, and are not allowed to pray or read the Koran anywhere else.” They noted that “prayer rooms and mosques are not always open, and if someone is found praying or reading the Koran elsewhere they are often put into solitary confinement for two weeks.”

In September 2022 prisoner of conscience Imam Zubaydullo Rozik (born 8 August 1946), who was one of the founders of the banned Islamic Renaissance Party (IRP), was again placed in a punishment cell in September 2022 for providing religious education to other prisoners, which is illegal in Tajik prisons. Rozik is serving his jail term in the Strict Regime Prison YaS 3/1 in Vahdat, east of Dushanbe.

Prison officials had sent Rozik to the punishment cell at least twice before for exercising freedom of religion in prison. On 28 June 2020, the prison administration put him in the punishment cell for five days after warders found he had a copy of the Koran and disinfectant materials (this was during the coronavirus pandemic), exiled human rights defender Farhod Odinayev told Forum 18.

Prison officials again sent Rozik to the punishment cell for 15 days on 24 July 2022. They had again found a copy of the Koran and claimed he had been using it to teach Islam to other prisoners. “The real reason was that he had prayed the night prayers after lights out,” Odinayev added.

On 7 September 2022, prison officials sent Rozik to the punishment cell for 15 days. “The reason was the discovery of the Koran and Islamic literature in the sleeping area,” his son Hisomiddin Rozikov posted on Facebook the following day. “The regime has banned these books.” He complained of the regime's actions against “my elderly father.”

On 8 September 2022, a prison official told Radio Free Europe's Tajik Service that Rozik had been sent to the punishment cell for violating the prison regime. “Despite repeated warnings,” the prison official said, “Zubaydullo Rozik continued to use religious books to teach the basics of sharia [Islamic law] to one of his young cellmates.”

The prison official added: “We told him: please, you can pray the namaz [daily Muslim prayers] and read prayers, but religious teaching in prison is illegal. However, he did not heed our requests.”

The telephone of Strict Regime Prison YaS 3/1 was not answered each time Forum 18 called on 22 February 2023.

Muslims told Forum 18 in October 2021 that Muslim prisoners are – whatever the reason for their jailing - denied visits by imams, friends, or relatives outside the immediate family. They asked to remain anonymous for fear of state reprisals. Similarly, various members of a variety of non-Muslim religious communities told Forum 18 that they also face bans on clergy prison visits, one noting that the ban had been enforced “for at least 10 years.” All asked that they and their communities remain anonymous for fear of state reprisals, one commenting that they unfortunately cannot discuss human rights issues.

Rule 2 of the UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules, A/C.3/70/L. 3) states in part: “The religious beliefs and moral precepts of prisoners shall be respected.” Rule 66 states in part: “Every prisoner shall be allowed to satisfy the needs of his or her religious life by .. having in his or her possession the books of religious observance.”

No permission to exist

Against Tajikistan’s legally-binding international human rights obligations,¹⁰ the Religion Law makes all exercise of freedom of religion or belief with others without state permission illegal. The wording of many parts of this and other laws is extremely unclear, allowing much room for official arbitrary actions. “The Law represents total control and is unjust”, one human rights defender told Forum 18.

In 2007 the regime banned Jehovah's Witnesses. On 7 September 2022 the UN Human Rights Committee published a View (CCPR/C/135/D/2483/2014)¹¹ that “none of the reasons put forward by the State party's authorities and courts” for banning Jehovah's Witnesses and refusing them re-registration are lawful under ICCPR Article 18 (“Freedom of thought, conscience and religion”).

The Human Rights Committee also found that the regime was also violating Jehovah's Witnesses' human rights under Article 22 (“Freedom of Association”). The Human Rights Committee stated that Tajikistan must re-register Jehovah's Witnesses, and “take all steps necessary to prevent similar violations from occurring in the future.”

State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) Deputy Chair Farrukhullo Olimzoda, Deputy Head Khuseyn Shokirov, and the Deputy Head of the section responsible for work with religious communities Saidakhmad Saidjafarov all refused between 30 September and 3 October 2022 to discuss the Human Rights Committee's decision that, among other things, Jehovah's Witnesses must be reregistered. Other officials, including SCRA Chair Sulaymon Davlatzoda, did not answer their phones when called.

¹⁰ See the Organisation for Security and Co-operation in Europe (OSCE) / Council of Europe Venice Commission Guidelines on the Legal Personality of Religious or Belief Communities <https://www.osce.org/files/f/documents/9/9/139046.pdf>

¹¹ <https://undocs.org/CCPR/C/135/D/2483/2014>

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SCRA Chair Sulaymon Davlatzoda summoned leaders of Protestant churches to a meeting in its offices in Dushanbe in late May 2022. “We will no longer register any new churches. We will keep the figure of registered churches unchanged from now on,” members of various Protestant churches quoted Davlatzoda as stating. “But he did not give any reasons,” Protestants who wished to remain anonymous for fear of state reprisals told Forum 18. Several churches which asked the SCRA for registration were also individually told that they will not be registered. SCRA officials would not explain to Forum 18 why they have refused to register any new churches and why those who exercise freedom of religion or belief without state permission face punishment.

A group of Protestants were fined in the northern Sugd Region in January 2022 for exercising freedom of religion or belief without state approval, a Protestant told Forum. The Protestant declined to give details for fear of state reprisals against those involved.

During the meeting with Protestants at the SCRA, Davlatzoda also “openly warned us that under-18-year-olds cannot have freedom of religion or belief and cannot participate in church activity, and no religious camps are allowed for them.” The 2011 Parental Responsibility Law bans the participation of anyone below the age of 18 in religious events apart from funerals. Similarly, the 2020 Law on the System of Warning Against and Prevention of Violations of the Law by Minors tasked the SCRA among other things with “unmasking and registering violations of the law by under-18-year-olds in the area of freedom of conscience and the activity of religious associations.”

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.” 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.

All registered religious communities must give the SCRA detailed information. For example, a typical form from 2019 required all non-Muslim communities to every year in Russian report information including:

- which [state-controlled] newspapers and magazines the religious community subscribed to, including the total amount of money paid for the subscription;
- full details of all charitable donations of any kind, including to the state-controlled Public Fund for Charity;
- how many days of voluntary community work were done, including subbotnik (state-imposed forced “voluntary” community work on Saturday), and a full description of the works done;
- the total income of the religious community for the past year, with how much was spent and how much remains;
- how much was spent on salaries, repair of buildings, taxes, and utility bills;
- how many video cameras for surveillance were installed in the religious community's building, and how many are functioning;
- how many official letters the religious community received from state agencies, how many it has replied to already, and how many await replies;
- and a list of all international organisations the religious community cooperated with in the past year.

The regime carefully examines the completed forms. One local Protestant, who wishes to remain unnamed for fear of state reprisals, told Forum 18 that a local administration summoned a church leader to their offices, and went through a completed 2019 form item by item. The church leader was not directly told that “officials will punish a church if it does not make any financial contribution to state programmes and projects. But the direct questions gave the church leader the strong impression that churches will be punished if they don't do this.” As noted above, corruption is widespread and the country ranks poorly in Transparency International's annual Corruption Perceptions Index¹².

The SCRA has continued to demand that non-Muslim religious communities complete intrusive questionnaires.

Muslims and a local human rights defender, who asked to remain anonymous for fear of state reprisals, told Forum 18 that they are not aware of mosques being sent such questionnaires. “All mosques are under total state control,” they observed, “so the regime does not need to insist that mosques complete such questionnaires.”

The first questionnaire sent to non-Muslim religious communities in August 2022 requires full details of all religious community employees and their families. The second questionnaire requires details of all financial support communities receive from foreign individuals or organisations, requiring that all financial contributions must be declared to the SCRA within 10 days of being received.

Religious communities of various faiths, who wish to remain anonymous for fear of state reprisals, told Forum 18 in September and October 2022 that they do not like the questionnaires. “This is a violation of our rights to freedom of religion and belief and to privacy,” one community member commented. “Giving such detailed information about the financial support we receive is state interference in our internal matters, and giving information on our family members is a gross violation of our privacy.”

Some suggested to Forum 18 that the SCRA is collecting family member information for the NSC secret police “so that it will be easy to identify us and our family members if in future they decide to target us.”

The future?

The regime, despite the experience of civil war between 1992 and 1997, shows little sign of understanding that genuine security depends on genuine respect for human rights.¹³ This is despite the explicit linkage between these concepts made in the international human rights obligations the regime has freely taken on.

Indeed, the regime acts as if the real threat it faces is people exercising their human rights outside state control, and its actions appear to be motivated by a wish to control everything with only the pretence of the rule of law. There is no evidence that the regime has any intention of implementing its binding international obligations to respect freedom of religion and belief and other fundamental human rights. (END)

¹² <https://www.transparency.org/en/cpi/2022/index/tjk>

¹³ See the Organisation for Security and Co-operation in Europe (OSCE) Freedom of Religion or Belief and Security: Policy Guidance <https://www.osce.org/files/f/documents/e/2/429389.pdf>
Details of specific freedom of religion or belief violations are at <https://www.forum18.org/archive.php?country=31>
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