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26 May 2011

TAJIKISTAN: Ban on religious education abroad without state permission to be adopted soon?

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

Without any prior public notice on 25 May the Lower Chamber of Tajikistan's Parliament approved without discussion a government-proposed amendment banning people of any faith from having religious education abroad without state permission. An independent Tajik journalist, who wished to remain unnamed for fear of state reprisals, told Forum 18 News Service on 26 May that the amendment "was rushed to the Parliament without any public discussions". They suggested to Forum 18 that "the authorities may be afraid of the Arab Spring movements. But their main motivation is to totally control religious life, and especially Muslims." A Muslim lawyer from the capital Dushanbe, Zafar Kurbonov, noted to Forum 18 that "our Constitution guarantees everybody's right to education whether at home or abroad. This is a gross violation of our rights." Deputy Marhabo Jabborova told Forum 18 that the changes need to be approved by parliament's Upper Chamber and President Emomali Rahmon. In southern Tajikistan the authorities have continued the nationwide campaign against places of worship, destroying a mosque and banning the activity of a Baptist church.

Without any prior public notice, on 25 May the Lower Chamber of Tajikistan's Parliament approved without discussion a government-proposed amendment to the 2009 Religion Law to restrict individuals' right to gain religious education abroad, the local media reported. The Chair of the government's Religious Affairs Committee, Abdurahim Holikov, presented the amendment to deputies.

"According to the amendment, from now on citizens of Tajikistan have the right to receive religious education outside the republic only after receiving initial religious education on the territory of the republic and with permission from the Education Ministry and the Religious Affairs Committee," Holikov told the Lower Chamber.

Mavlon Mukhtarov, Deputy Chair of the Religious Affairs Committee, confirmed to Forum 18 News Service on 26 May that the only proposed change was to Article 8 of the Religion Law. Under the change, anyone of any faith wishing to receive religious education outside Tajikistan must receive state permission for this. This addition further tightens the existing strict controls on receiving religious education (see Forum 18's Tajikistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1553).

Rushed amendment, no public discussion

An independent Tajik journalist, who wished to remain unnamed for fear of state reprisals, told Forum 18 on 26 May that the amendment "was rushed to the Parliament without any public discussions". They commented that only a small circle of journalists found out about it, the wider public not being aware of this.

Mukhtarov of the Religious Affairs Committee would not answer when asked by Forum 18 why the proposals were not made public, and nor on 26 May did Deputy Marhabo Jabborova, Chair of the Lower Chamber's Science, Education, Culture and Youth Policy Committee.

Deputy Jabborova's Committee is also leading discussions of the draft Parental Responsibility Law, which may be passed and come into force soon. This draft Law has also been strongly criticised for the secrecy surrounding discussion and possible changes to it, as well as by the proposed ban on anyone under 18 taking part in any religious activity except funerals (see F18News 25 May 2011 http://www.forum18.org/Archive.php?article_id=1574).

When will the change take effect?

Deputy Jabborova confirmed that the only changes were those stated by the Religious Affairs Committee, adding that it now needs to be approved by parliament's Upper Chamber and President Emomali Rahmon. Deputy Jabborova said she did not know how long this will take. She asked Forum 18 to call parliament's International Relations Committee. However, Committee officials, who would not give their names, stated that they did not know how long the process will take. They also would not comment on why no

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public discussions took place, stating that Committee Chair Olim Salimzoda was not there to comment this.

Deputies comments

One deputy of the ruling People's Democratic Party, Davlatali Davlatzoda, pointed out that most Tajik Muslims are Sunnis, but some Tajiks have been receiving religious education from some other schools of Islam. He claimed this could cause "contradictions and conflicts" over how some canons of Islam are interpreted. He said the government would henceforth decide which countries individuals would go to and for what type of religious education.

The government has long sought to control Islamic thought, in January 2009 banning the Salafi school of thought – even though an official admitted to Forum 18 that the authorities had no evidence that any of its adherents had committed any crimes (see F18News 23 January 2009 http://www.forum18.org/Archive.php?article_id=1243).

Two deputies from the Islamic Renaissance Party (IRP), Muhiddin Kabiri and Umarali Hiseinov, voted against the amendment. Deputy Kabiri complained that the state-imposed controls represent a violation of individuals' rights. He lamented that those who wanted to gain higher religious education abroad could only do so if they have already studied religion within Tajikistan. He also argued that the controls risked turning the role of mullah merely into a profession.

Why?

The independent Tajik journalist suggested to Forum 18 that "the authorities may be afraid of the Arab Spring movements. But their main motivation is to totally control religious life, and especially Muslims." The journalist observed that "our government wants our Muslims to belong only to the Hanafi school of thought, and wants to prevent our youth from adopting various Arabic movements' ideology."

A Muslim lawyer from the capital Dushanbe, Zafar Kurbonov, noted to Forum 18 on 26 May that he "understands that our government may be concerned of the radical or revolutionary Arab Spring influence on our young people". However he commented that "our Constitution guarantees everybody's right to education whether at home or abroad. This is a gross violation of our rights."

Ongoing crackdown on Islamic religious education

President Rahmon in August 2010 called on parents to recall their children from foreign Islamic colleges, claiming that otherwise "your children will become extremists and terrorists". "We ourselves, the government and the Religious Affairs Committee, will decide how many religious ministers are needed for the country," he insisted. At the same time the Interior Ministry launched an apparently nationwide campaign with raids to end the private teaching of Islam. Among the existing range of "legal" instruments against religious education, including the Religion Law, Article 474 of the Administrative Code bans "teaching religious knowledge without [state] permission" (see F18News 2 September 2010 http://www.forum18.org/Archive.php?article_id=1483).

Jumokhon Giyosov, Deputy Chair of the state Religious Affairs Committee, defended government moves to bring back 1,700 Tajik students studying Islam abroad. "We need to bring order to the process of going abroad to study religion," he told Forum 18 on 1 December 2010. He rejected suggestions that the instructions violated students' right to gain religious education of their choice (see F18News 3 December 2010 http://www.forum18.org/Archive.php?article_id=1517).

Throughout Central Asia and elsewhere, dictatorships have been worried by the impact on their populations of the Arab Spring uprisings for freedom, human rights and democracy. This has led some – for example within Uzbekistan - to suggest that current crackdowns on those who have received Islamic religious education abroad are fuelled by fear of such Arab Spring-type movements (see F18News 15 April 2011 http://www.forum18.org/Archive.php?article_id=1563).

Mosque demolished, church closed

At least one mosque in Qurghonteppa, the central town in Khatlon Region of southern Tajikistan, was destroyed in April, while the elderly imam and a local official were fined, Forum 18 has learnt. That same month the authorities in a nearby town banned the further activity of a Baptist church which had been denied state registration for the past seven years. The Khatlon regional division of the National Security Committee (NSC) secret police told church leaders in February to stop their worship services since they are not registered officially.

An independent human rights defender from Khatlon, who for fear of the authorities wished to remain unnamed, told Forum 18 on 18 May of reports that the regional authorities have halted the activity of many unregistered mosques. "I personally heard from regional officials of plans to destroy one mosque in Shahrtuz District close to the Afghanistan border." The human rights defender did not know whether the mosque had already been destroyed.

The government's forced closure and destruction of many mosques and other places of worship has increased in recent years amid tightening restrictions on all religious activity (see eg. F18News 25 January 2011

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http://www.forum18.org/Archive.php?article_id=1532). A harsh new Religion Law was introduced in 2009, while new or increased punishments for religious activity were introduced (see Forum 18's Tajikistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1553).

The harsh draft Parental Responsibility Law may ban anyone under 18 from taking part in religious activity, including religious worship. The government seems intent on introducing the Law despite widespread opposition from religious communities and human rights defenders (see F18News 25 May 2011 http://www.forum18.org/Archive.php?article_id=1574).

Regional Administration refuses to discuss attacks

Bobokhon Sharbatov, Head of Khatlon Regional Administration's Religious Affairs Department, refused to comment on the destruction of mosques or the ban on the Baptist Church. "I am not ready to comment at the moment," he told Forum 18 on 19 May. "I am busy, call me tomorrow." Each time Forum 18 called back on 20 May and afterwards, Sharbatov's phones went unanswered.

Similarly reluctant to comment on 20 May was Barot Boymatov, the Administration's Deputy Head. He said he does "not know what the reasons were" for the authorities to destroy the mosque and ban the Church. Asked why the authorities would so readily destroy a mosque simply because it was not registered, he responded: "Please talk to Sharbatov - he is responsible for religious policies." Boymatov also refused to say how many mosques were stopped or were going to be destroyed.

Mosque destroyed for violation of draft Parental Responsibility Law?

The unregistered mosque in Qurghonteppa's central Mirzo Qodirov Street was demolished by the Khatlon regional authorities in early April. A Qurghonteppa court also fined 81-year-old Muhiddin Mirzomurodov, the Imam of the destroyed Mosque, and Amanullo Kurbonov, head of the local mahalla (residential area), each 350 Somonis (428 Norwegian Kroner, 55 Euros or 77 US Dollars), a local resident who asked not to be identified told Forum 18. The mosque had been built by local residents in 2009.

Asadullo Shulashov, Qurghonteppa's Deputy Prosecutor, confirmed that the Imam and Head of the local mahalla were prosecuted under Tajikistan's Code of Administrative Offences. "I do not remember at the moment under which precise Articles they were charged," he told Forum 18 on 23 May. "The charges were brought for illegal occupation of land, and unregistered religious activity."

However, worshippers of the 300-strong Qurghonteppa mosque believe that "the authorities decided to destroy the mosque especially because they discovered two teenagers praying there, which violates the new [Parental Responsibility] Law," Radio Free Europe/Radio Liberty (RFE/RL) reported on 7 April.

Forum 18 notes that although the Parental Responsibility Law has not yet been adopted, the authorities have long been seeking to restrict children's participation in religious activity (see F18News 25 May 2011 http://www.forum18.org/Archive.php?article_id=1574).

Deputy Prosecutor Shulashov refused to explain why the authorities would destroy a mosque simply because it is not registered. "I am on vacation, and I cannot comment on the case now," he said. He declined to discuss the issue further with Forum 18.

After finding out that the authorities had decided to demolish the mosque, the mosque community belatedly prepared an application to register it. However, this was ignored and the authorities went ahead with the demolition, RFE/RL reported. Last minute appeals to city Administration chief Sharifhon Samiev, who was present for the demolition, went unheeded.

After the closure of the mosque and the fine, Imam Mirzomurodov left Tajikistan for Russia because of the pressure from the authorities, RFE/RL added.

Authorities refuse to register Baptist Church, halt its activity

Pressure has been mounting in recent months on the Baptist congregation in Khatlon Region's Jaloliddin Rumi District south of Qurghonteppa. The congregation, which belongs to the Baptist Union of Tajikistan, has been seeking state registration in vain since 2004. "The Regional religious affairs officials kept asking us to wait until the new Religion Law was adopted each time we asked for registration," a local Baptist, who wished to remain unnamed for the fear of state reprisals, complained to Forum 18 on 20 May.

The church member said that the Regional NSC secret police moved within days of the congregation's most recent registration application, which it lodged on 7 February 2011. "Our leaders were twice summoned by the Regional NSC secret police on 10 February and 15 March and told to stop our activity."

The Baptist added that on 17 February two NSC secret police officers filmed their worship service. Exactly a month later, on 17 March, Jaloliddin Rumi District Administration's religious affairs officials sent a written refusal to register the Church, the Baptist told Forum 18.

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Dilbar Normatova, Deputy Head of Jaloliddin Rumi District Administration, told the local media on 22 April that the Baptist Church was banned "since it was conducting unregistered activity". She said it had failed to provide all the necessary documentation with its registration application. (END)

More coverage of freedom of thought, conscience and belief in Tajikistan is at http://www.forum18.org/Archive.php?query=&religion=all&country=31.

For more background see Forum 18's Tajikistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1553.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Tajikistan is available at http://education.nationalgeographic.com/education/mapping/outline-map/?map=Tajikistan.

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