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TAJIKISTAN: "The law demands that all religious literature be checked by the state"

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

Members of Tajikistan's Islamic Renaissance Party had "hundreds of booklets" seized from them by police in the northern city of Khujand, a party member complained to Forum 18 News Service. The booklets, seized ahead of the 15 October Islamic festival of Kurban Bayram (Eid al-Adha), explained "the meaning of the holiday and its values". Police warned party members they could be punished for distributing unapproved religious literature. A Baptist was fined in the capital Dushanbe in September after three church members received religious magazines by post from Belarus. This – and at least five other earlier cases - were all brought by the NSC secret police. Mavlon Mukhtarov, Deputy Head of the State Committee for Religious Affairs (SCRA), told Forum 18 that censorship "must be done according to the Religion Law." Religious communities described the SCRA's censorship fees as "unaffordable".

Police and National Security Committee (NSC) secret police officers have seized religious literature from Muslims, Protestants and Jehovah's Witnesses in various cases in Tajikistan in 2013, Forum 18 News Service notes. Many individuals have been warned or fined for "illegal" religious literature which has not been through the compulsory state censorship. Two more are known to have been fined for talking about their faith with others on the street or with meeting for worship without the compulsory state registration.

Asked why individuals and religious community members must have their personal religious literature checked by the state, Mavlon Mukhtarov, Deputy Head of the State Committee for Religious Affairs (SCRA) in the capital Dushanbe, insisted to Forum 18 on 14 November that this "must be done according to the Religion Law."

The "offence" of producing, distributing, importing or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship was created with the addition of Article 474-1 to the Code of Administrative Offences (see F18News 11 January 2011 http://www.forum18.org/archive.php?article_id=1528). Religious communities of all faiths have long complained of the high cost of gaining an "expert analysis" from the SCRA for every item of literature (see F18News 12 January 2011 http://www.forum18.org/archive.php?article_id=1529 and below).

Asked why – in at least six cases since summer 2013 - courts gave large fines on Protestants for receiving personal copies of religious magazines by post, Mukhtarov responded: "I don't know why they were fined, but I will look into the matter."

Other punishments

Forum 18 knows of individuals who have been punished for unapproved religious education. The United Nations Human Rights Committee has criticised Tajikistan's "severe restrictions on freedom of religion" and punishments on those exercising the right to freedom of religion or belief in a report made public in August (see F18News 4 December 2013 http://www.forum18.org/archive.php?article_id=1903).

Warning over confiscated Kurban Bayram booklets

Police in the northern city of Khujand [Khojand] in Sugd Region stopped members of the officially registered Islamic Renaissance Party (IRP) on the street and "confiscated hundreds of booklets" from them. Party members were handing out the booklets on the eve of the 15 October celebration of the Islamic festival of Kurban Bayram (Eid al-Adha). "The booklets only explain the meaning of the holiday and its values," Hikmatullo Sayfullozoda of the IRP complained to Forum 18 from Dushanbe on 13 November.

The police then took down the Muslims' names before releasing them. The police "warned them that if they are caught again distributing religious literature without prior state authorisation, cases will be opened against them," Sayfullozoda told Forum 18. "Of course, after this we decided that neither in Khujand nor anywhere else in Tajikistan will we distribute these booklets."

Sayfullozoda asked why the authorities "should hinder us from spreading the booklets explaining to the public the meaning of our

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holidays." He said that since President Emomali Rahmon's re-election in a controversial 6 November poll, "the government now needs to soften the rigid religious policies and give back to the religious communities their basic rights."

Abdukhakim Sharipov of Sugd Regional Administration, who oversees religious affairs, insisted to Forum 18 on 14 November that "we are not against explaining to people our holidays, and registered and authorised religious organisations may do this."

Asked what is wrong with IRP members simply explaining the holiday to the public, Sharipov claimed that "the Islamic Party members were stopped because they are trying to attract people to their ranks by spreading religious literature." Sharipov added that "based on the Law political parties cannot be engaged in religious activity."

Fined for receiving magazines by mail

Dushanbe's Shokh Mansur District Court in late September punished local Baptist Madamin Chariyev for "illegally importing unlicensed religious literature", Baptists who wished to remain unnamed for fear of state reprisals told Forum 18 on 9 November. He was fined 30 Financial Indicators (FIs) or 1,200 Somonis (1,500 Norwegian Kroner, 190 Euros or 250 US Dollars).

Chariyev was punished under Administrative Code Article 474-1, Part 1 ("Violation of the Religion Law's provisions on producing, distributing, importing or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship"). This Article was added to the Administrative Code in January 2011 (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=1553).

Though Chariyev's Church in Dushanbe is registered, the authorities refused to re-register the Baptist Union to which it belongs after the adoption of the harsh new Religion Law in 2009 (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=1553).

Chariyev has already paid the fine. He chose not to appeal against it since he does "not want to get into a conflict with the authorities", Baptists told Forum 18.

Secret police pressure to admit "violation"

Trouble for the Baptists began in early September, Church members told Forum 18. NSC secret police officers confiscated a few copies of "Our Daily Bread", a Baptist magazine shipped from Belarus to the Church for three of its members. The subscribers to the magazine were summoned to the NSC Department in September for questioning.

The church members were questioned by an NSC Colonel who would not give his name. The officer showed copies of the magazine addressed to them and told them that they had violated the Religion Law "since they received unlicensed literature". The Colonel then told the Baptists they "need to write statements and will be given fines".

The Colonel "ignored" the Baptists explanation that "these are monthly issues of the magazine," that "no new Baptist teachings are reflected in them", and that "these magazine were not intended for distribution among the public but individual use of each Baptist and therefore do not need to go through religious 'expert analysis'."

Seeing that the NSC Colonel "kept pressuring them to write statements so they could be fined," the Baptists "pleaded" with him to prepare the report only on one person, to which the Colonel consented. The Dushanbe Department of the NSC secret police then brought the case against Chariyev to Court.

Earlier fines

At least five other members of various Protestant churches are known to have been given similar fines for "illegal" religious literature since the summer. All were punished – like Chariyev - under Administrative Code Article 474-1, Part 1.

In August-September, Dushanbe's Shokh Mansur District Court also fined several Protestants from various Churches for receiving by mail individual copies of Christian magazines for personal use, Protestants who wished to remain unnamed for fear of state reprisals told Forum 18 between 8 and 9 November.

The Protestant pointed out to Forum 18 that all these administrative cases were opened by the Dushanbe Department of the NSC secret police, which had summoned and questioned each of those later fined.

A number of members of other Protestant Churches apart from the Baptists were fined across Tajikistan in the summer for importing "illegal" Christian books, another Dushanbe-based Protestant told Forum 18. Each was fined 1,200 Somonis.

"All religious literature must be licensed before use"

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Asked why his court had handed down so many fines for receiving personal copies of religious magazines, Judge Rakhmonoli Ismoilov, Deputy Chair of Shokh Mansur District Court, insisted to Forum 18 on 14 November that "all religious literature must be licensed before use."

The "offence" of producing, distributing, importing or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship has existed since January 2011 (see F18News 11 January 2011 http://www.forum18.org/archive.php?article_id=1528).

Told that each of those fined had received only one copy for their personal use, and that these are members of registered Churches, and asked why the State must check each individual book or magazine intended for personal use, Judge Ismoilov took down Chariyev's case's details and asked Forum 18 to call back on 15 November. "I will see into this, call us back tomorrow."

On 15 November the phones of the Court, including Judge Ismoilov's numbers, went unanswered.

"Expert analyses": "We cannot afford to pay such sums"

The Dushanbe Protestant, Baptists, Sayfullozoda of the IRP, and a representative of an officially registered community (who asked that they and their community not be identified), all told Forum 18 that if the state has to censor religious literature they wish the "expert analysis" would at least be free.

The Baptists noted that they recently paid nearly 3,000 Somonis (3,800 Norwegian Kroner, 450 Euros or 625 US Dollars) for the SCRA to conduct an "expert analysis" on three books and "we cannot afford to pay such sums all the time".

The Protestants also complained to Forum 18 that paying for religious "expert analyses" is "unaffordable", adding that "soon we may stop importing the magazines as well as any religious literature."

Religious communities of all faiths have long complained of the high cost and compulsory nature of the SCRA's "expert analyses" (see F18News 12 January 2011 http://www.forum18.org/archive.php?article_id=1529).

Told that religious communities have complained that it is unaffordable for them to pay for "expert analyses", and that – if the state requires it – it should at least be done for free, Mukhtarov of the SCRA responded laughing: "We cannot just do work for them for free."

Asked why individuals or religious communities are not given a chance freely to receive and use their literature, Mukhtarov insisted: "The law demands that all religious literature be checked by the state."

Mukhtarov also claimed to Forum 18 that the "expert analysis" is "not expensive." He refused to give specific prices but said that they "begin from 50 Somonis for a book and up depending on the number of the pages of the book".

Raid, confiscation, fine

Dushanbe-based Jehovah's Witness, Rizvon Jurayeva, was fined 4 FIs or 160 Somonis under Administrative Code Article 474, Part 1 on 3 April, fellow Jehovah's Witnesses told Forum 18 on 13 November. Article 474, Part 1 punishes "carrying out religious activity without state registration or re-registration of the organisation".

The fine had been handed down by Safarali Sharipov, a religious affairs official of Dushanbe's Firdavsi District Administration. Tajikistan's Administrative Code and Religion Law allow state religious affairs officials to give fines to punish violations of the Religion Law.

The fine on Jurayeva followed a 24 March NSC secret police raid on a Jehovah's Witness-owned private flat in Dushanbe. "A small group of believers had gathered to read and discuss the Bible," Jehovah's Witnesses told Forum 18. "NSC officers forced their way into the flat, claiming that it is illegal for Jehovah's Witnesses to meet. As with all previous raids, the officials seized the Bibles and religious literature of the persons in attendance."

NSC secret police "has competence" to question religious believers

In all the cases where fines were given to Protestants for unlicensed literature or to Jehovah's Witnesses for unauthorised teaching of religion, the action was brought by the NSC secret police. Forum 18 notes.

Asked why the secret police monitors their activity, both Protestants from Dushanbe and Jehovah's Witnesses told Forum 18 that they do not understand why. One religious believer, who asked that they or their community not be identified, told Forum 18 that the NSC secret police also often summons their members for questioning about their activity.

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No official at the NSC secret police's Dushanbe Department was prepared to comment. The duty officer (who did not give his name) on 12 November told Forum 18 to call back on the same day. However, the phones of the Department went unanswered between 12 and 15 November.

Asked why the NSC secret police questions members of religious communities, Mukhtarov of the SCRA responded, "Well they have a religious affairs section, and competence to do so." He could not answer when asked why the NSC secret police must control religious believers.

Told that Jehovah's Witnesses are continually being fined for peacefully practicing their faith because they do not have State registration, Mukhtarov added: "We recently met with their representatives, and asked them to submit their documents for registration." (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.

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