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TAJIKISTAN: Muslim faces 18-year charges, Jehovah's Witness prisoner denied Bible, Pastor freed

By Mushfig Bayram, Forum 18, and Felix Corley, Forum 18

Prosecutors are seeking 18 years' jail for Sadridin Mulloyev at his Dushanbe trial for membership of Muslim movement Tabligh Jamaat. Jehovah's Witness Shamil Khakimov, who is 68, failed to overturn his seven and a half-year strict regime jail term. Prison authorities still deny him a Bible. Protestant Pastor Bakhrom Kholmatov was freed on 17 December months before the end of his three-year jail term. However, an associated church in Konibodom remains closed after the regime forcibly closed it in 2017 after raiding and torturing church members, as well as firing them from their jobs.

After returning to Tajikistan from Turkey in February 2019, the 35-year-old Sadridin Mulloyev is now on trial in the capital Dushanbe facing charges which carry a jail sentence of up to 18 years. He had previously been jailed from 2008 to 2013 on charges of membership of the banned Tabligh Jamaat Muslim missionary movement.

After being freed, Mulloyev went to Turkey where he learnt that he was being sought again by Tajikistan on "extremism" charges. He voluntarily returned to Tajikistan in February 2019 and reported to police, where he repented of having been a Tabligh Jamaat member and was granted amnesty. However in September he was arrested and held on serious criminal charges because of his earlier adherence to the Tabligh Jamaat movement (see below).

In October, Sogd Regional Court rejected the appeal of Jehovah's Witness prisoner of conscience Shamil Khakimov against being jailed for seven years, six months in strict regime custody for allegedly "inciting religious hatred". He was also sentenced to a ban on all exercise of freedom of religion and belief from his release (due in August 2026 when he would be 74 years old) until August 2029. "I am guilty of nothing," he told the court. His real "crime" appears to be that police think he leads Khujand's Jehovah's Witness community (see below).

Part of the "case" against Kakhimov 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 "analysis" – conducted by three local Imams – 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" (see below).

On 9 October, a panel of three Judges rejected Khakimov's appeal in 30 minutes. "Although the court asserted that the hearing would be open to the public, court staff prevented representatives from both the German Embassy and the European Union Delegation in the country from attending, as well as 10 of Shamil Khakimov's friends," Jehovah's Witnesses told Forum 18 (see below).

Prisoner of conscience Khakimov was then sent to Strict Regime Prison YaS 3/5, where in November his health deteriorated. He had to dress his leg on his own and was not allowed nail scissors, which added to pain. His bed was broken, he was cold and the prison authorities provided no warm bedclothes or hot food. The prison authorities at that point refused to accept items brought for him by his lawyer. The prison authorities also obstructed meetings between Khakimov and his lawyer. But after international pressure Khakimov's conditions have now improved.

However, the prison authorities are denying Khakimov access to a Bible and other religious literature, in breach of United Nations Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules) which require governments to respect the freedom of religion and belief and other human rights of prisoners (see below).

However, Protestant Pastor and prisoner of conscience Bakhrom Kholmatov was released on 17 December after serving all but three months of a three-year jail sentence for allegedly "singing extremist songs in church and so inciting 'religious hatred'" (see below).

The National Security Committee (NSC) secret police arrested Pastor Kholmatov in April 2017 after they raided his Sunmin Sunbogym (Full Gospel) Protestant Church in Khujand, after the NSC forcibly closed it in 2017 after raiding and physically torturing church members, as well as firing them from their jobs (see below).

The authorities also closed the Sunmin Sunbogym congregation in the northern city of Konibodom in March 2017. "The church there remains closed," a Protestant told Forum 18 on 19 December 2019 (see below).

Despite Tajikistan's binding international obligations under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (http://www.forum18.org/archive.php?article_id=2138), no arrests or prosecutions appear to have taken place against officials who tortured Jehovah's Witnesses, Protestants, or followers of other beliefs.

Other known prisoners of conscience currently jailed for exercising their freedom of religion and belief are all thought to be Muslims (see below).

Mulloyev: Return to Tajikistan, amnesty after "repentance"

Sadriddin Hairiddinovich Mulloyev (born 1984), the son-in-law of a noted imam in the town of Kulob south-east of Dushanbe, returned to Tajikistan from Turkey in February 2019, local news agencies noted on 22 February, citing the Youth and Sports Committee.

Committee officials noted that the authorities had been hunting Mulloyev on charges under Criminal Code Article 307, Part 1 ("Public calls to carry out extremist activity").

Mulloyev was jailed from 2008 to 2013 on charges of membership of the Tabligh Jamaat Muslim missionary movement. Tajikistan's Supreme Court had banned the movement as "terrorist" and "extremist" on 30 March 2006.

As well as the Tabligh Jamaat movement, the Salafi school of Islamic thought, Jehovah's Witnesses, and some Protestant groups were also banned – even though the regime has not provably linked any crimes committed allegedly because of their beliefs to followers of any of the banned beliefs (http://www.forum18.org/archive.php?article_id=2138).

An independent human rights defender familiar with Tabligh Jamaat followers in Tajikistan described it to Forum 18 in May 2009 as peaceful and said "they tell Muslims how to recognise dangerous Islamic movements (..) This is exactly what Tajikistan needs". Many Muslims allegedly associated with Tabligh Jamaat Islamic missionary movement were in 2010 given long prison sentences and huge fines. One of the Muslims complained to Forum 18 that he "does not understand why we should be prosecuted for peacefully praying in mosques and propagating Islam" (http://www.forum18.org/archive.php?article_id=2138).

After leaving Tajikistan soon after his release from prison in 2013, Mulloyev worked in Russia for a year. Only after he moved to Turkey in 2014 did Mulloyev learn that he was wanted in Tajikistan on "extremism"-related criminal charges. He read in the media that his country was offering amnesty to those who returned to Tajikistan and fully repented of any wrongdoing.

Committee officials said Mulloyev then called the police Department for the Struggle with Organised Crime, told them everything and said he wanted to return home. He then returned from Istanbul to Dushanbe in February 2019 and presented himself to the Department, which granted him amnesty from prosecution.

The police arranged the video-recording of Mulloyev's confession, where he repented of having been a Tabligh Jamaat member, vowed to have nothing to do with it in future and called on other Tajiks abroad who had committed "crimes" to return home. The short video was posted on YouTube on 19 February.

Mulloyev: September arrest

However, on 21 September, the General Prosecutor's Office summoned Mulloyev for questioning in Kulob and then arrested him. It appears he was transferred soon afterwards to the capital Dushanbe, where he was held in the city's Investigation Prison.

Prosecutors accused Mulloyev of serious criminal charges because of his earlier adherence to the Tabligh Jamaat movement. He was accused under Criminal Code Article 307 ("Public calls for the violent overthrow of the constitutional order"), Article 187 ("Organisation of a criminal group") and Article 401 ("Mercenary activity").

The Department for Investigating Crimes of Special Importance at the General Prosecutor's Office in Dushanbe prepared the criminal case against Mulloyev, an official of the police Struggle with Extremism and Terrorism Department told Forum 18 from Dushanbe on 19 December.

Rajabali Sodiqzoda, the head of the Department for Investigating Crimes of Special Importance, refused to discuss Mulloyev's case, telling Forum 18 on 19 December that he did not have the information to hand. He confirmed that Mulloyev's trial continues.

Mulloyev: Trial begins

Prosecutors handed the criminal case against Mulloyev to Dushanbe's Sino District Court. The prosecutor demanded in court that the Judge hand Mulloyev an 18-year prison term, Radio Free Europe's Tajik Service noted on 31 October.

Mulloyev's lawyer told Radio Free Europe that the defendant had been expecting to give his last address to the court, but the session was postponed.

No official at Sino District Court would tell Forum 18 on 19 December when Mulloyev's trial is likely to conclude.

Mulloyev's brother Negmatullo told Radio Free Europe that an 18-year sentence would be "especially harsh". They hoped that Mulloyev would be freed under amnesty. However, those sentenced under such charges are not eligible for amnesty.

Sadriddin Mulloyev's father Hairiddin told Radio Free Europe that the family had hoped that the authorities had dropped all accusations against his son. He said he had asked the Judge: "Why aren't you fulfilling the president's promises about an amnesty?", to which the Judge reportedly responded: "It's as the Prosecutor's Office decided." Hairiddin Mulloyev insists that his son is "absolutely innocent".

Khakimov: Appeal rejected in absentia

On 9 October, a panel of three Judges at Sogd Regional Court chaired by the head of the Court, Bakhtiyor Okilzoda, rejected the appeal by Jehovah's Witness prisoner of conscience Shamil Rasulovich Khakimov (born 30 January 1951) against his seven and a half year jail term in a strict regime prison, according to the decision seen by Forum 18.

The appeal hearing lasted just 30 minutes and Khakimov was not brought from the Investigation Prison for it. "Although the court asserted that the hearing would be open to the public, court staff prevented representatives from both the German Embassy and the European Union Delegation in the country from attending, as well as 10 of Shamil Khakimov's friends," Jehovah's Witnesses told Forum 18.

Khakimov: Arrest and jailing

Jehovah's Witness Shamil Khakimov was arrested and placed in pre-trial detention in February 2019 for allegedly "inciting religious hatred", but his real "crime" appears to be that police think he leads Khujand's Jehovah's Witness community. (http://www.forum18.org/archive.php?article_id=2463)

The 68 year-old widower, who is in poor health, was arrested after police found his phone number on the phones of two female Jehovah's Witnesses they arrested for sharing their beliefs on the street. Investigator Nekruz Ibromkhimzoda of the Sogd Regional Police Department for the Struggle with Organised Crime called Kakhimov's number as well as other numbers on the phones, and then arrested Kakhimov.

Part of the "case" against Kakhimov 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 analysis – conducted by three local Imams – was carried out at the request of the National Security Committee (NSC) secret police, and 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" (http://www.forum18.org/archive.php?article_id=2499).

Prisoner of conscience Khakimov's arrest was part of a series of raids and interrogations, in some cases involving torture, against Jehovah's Witnesses in Sogd Region and other religious communities nationwide (http://www.forum18.org/archive.php?article_id=2455).

While in pre-trial detention Khakimov was given medicines and allowed to pray, but not allowed to read his Bible (http://www.forum18.org/archive.php?article_id=2455). He is still in December 2019 not being allowed to read any Bible (see below).

This breaks the United Nations Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules – A/C.3/70/L.3) (http://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf), which require governments to respect the freedom of religion and belief and other human rights of prisoners.

In a closed hearing in prison on 10 September, the 68 year-old Khakimov was jailed for seven years, six months in strict regime custody for allegedly "inciting religious hatred". He was also sentenced to a ban on all exercise of freedom of religion and belief from his release (due in August 2026 when he would be 74 years-old) until August 2029. "I am guilty of nothing", he told the court (http://www.forum18.org/archive.php?article_id=2506).

Despite Tajikistan's binding international obligations under the United Nations (UN) Convention against Torture and Other Cruel,

Inhuman or Degrading Treatment or Punishment (http://www.forum18.org/archive.php?article_id=2138), no arrests or prosecutions appear to have taken place against officials who tortured Jehovah's Witnesses, Protestants, or followers of other beliefs.

Khakimov: Prison transfer, health improves, no Bible

After the failure of his 9 October appeal, the authorities transferred Khakimov from Khujand's Investigation Prison to the strict regime prison YaS 3/5, also in Khujand, where he will serve his sentence, Jehovah's Witnesses told Forum 18.

Back in November, Khakimov's situation in prison was much worse and his health was deteriorating. He had to dress his leg on his own and was not allowed nail scissors, which added to pain.

Khakimov's conditions were also poor, Jehovah's Witnesses noted. His bed was broken, he was cold and the prison authorities provided no warm bedclothes or hot food. The prison authorities at that point refused to accept items brought for him by his lawyer. The prison authorities also obstructed meetings between Khakimov and his lawyer.

However, Khakimov's conditions in prison have improved slightly, Jehovah's Witnesses told Forum 18 on 18 December. He was transferred out of the medical unit and placed in Block 7 of the prison, where those convicted of fraud are held. "We believe the international community's attention to this case has its impact on the improvement of his condition."

Khakimov is "feeling better now", Jehovah's Witnesses added. "He doesn't do the dressing on his leg, but wraps it in an elastic bandage. Currently he does not take any medication, he will resume taking it in January."

The prison authorities allowed Khakimov's friends to provide him with a mattress, blanket, pillows, sheets and a duvet cover and the bed he has now is not broken.

However Khakimov is not able to read the Bible, Jehovah's Witnesses complain. As was the case since he was arrested and placed in pre-trial detention in February 2019, "there is no Bible in the prison library," they note. Jehovah's Witnesses also state that the prison authorities took away from him a copy of the Jehovah's Witnesses' Russian-language New World Version. They say they hope he will at least be allowed to be provided with the Synodal translation of the Bible or another Russian Bible translation (Khakimov speaks little Tajik).

Forum 18 was unable to reach the prison administration on 19 December to find out why Khakimov's friends have had to provide adequate bedding for him and why he is being denied religious literature of his choice.

Denial of access to religious literature, poor bedding, inadequate heating and medical care all break the United Nations Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules – A/C.3/70/L.3) (http://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf), which require governments to respect the freedom of religion and belief and other human rights of prisoners.

Prisoner of conscience Khakimov's address in prison:

YaS 3/5 Muassisai

735700 Khujand

Sogd Region

Tajikistan

Kholmatov: Freed three months early

The prison authorities freed prisoner of conscience Protestant Pastor Bakhrom Khasanovich Kholmatov (born 20 July 1975) on the morning of 17 December, local Protestants told Forum 18. He had been held in Yavan Prison in the south-western Khatlon Region.

Kholmatov had been due for release in April 2020. "The prison court examined the question of Bakhrom's early release and reduced his term," a local Protestant told Forum 18.

"I'd like to express my huge gratitude to all the people who supported and prayed for me, my family and my church," World Watch Monitor quoted Kholmatov as declaring after his release. "All these three years I felt your prayers, they helped me to stand, they helped my precious wife and children, they helped the members of my church who were left without a pastor, then kicked by the authorities out of our building."

Prisoner of conscience Pastor Kholmatov, who led a Protestant Church in Khujand, was jailed for three years in July 2017 for

allegedly "singing extremist songs in church and so inciting 'religious hatred"

(http://www.forum18.org/archive.php?article_id=2298). The National Security Committee (NSC) secret police arrested Pastor Kholmatov in April 2017 after they raided his Sunmin Sunbogym (Full Gospel) Protestant Church in Khujand, and harassed and physically tortured its members (http://www.forum18.org/archive.php?article_id=2276).

The authorities also closed the Sunmin Sunbogym congregation in the northern city of Konibodom in March 2017, after the NSC secret police forcibly closed it in March 2017 after raiding and physically torturing church members, as well as firing them from their jobs (http://www.forum18.org/archive.php?article_id=2276). "The church there remains closed," a Protestant told Forum 18 on 19 December 2019.

Other prisoners of conscience jailed for exercising freedom of religion

The other prisoners of conscience jailed for exercising their freedom of religion and belief are all thought to be Muslims. In September 2017 42-year old Imam Ilkhomidin Abdulloyev of the Chorrukh-Dorun Mosque in a suburb of Guliston and four members of the Mosque community, one of whom is named Kasymov, were arrested. In November 2017 all were jailed for five and half years (http://www.forum18.org/archive.php?article_id=2336).

Human rights defender Faiziniso Vakhidova told Forum 18 in December 2017 that Imam Abdulloyev is "not an extremist at all, but a very peaceful believer" and a disciple of Imam Boltuyev who was imprisoned earlier under similar "extremism" charges. "Imam Abdulloyev may have been arrested for that reason", human rights defender Vakhidova commented (http://www.forum18.org/archive.php?article_id=2336).

Also jailed in Sogd Region between August and December 2017 were other male Muslim prisoners of conscience, including a well-known heart surgeon (http://www.forum18.org/archive.php?article_id=2336). All were accused of being adherents of Salafi Islam, a movement banned since 2009 (http://www.forum18.org/archive.php?article_id=2138). None of those jailed appears to have called for or committed any violation of the human rights of others, and officials refused to explain what exactly they had done wrong. But it appears that their "crime" was to be identified by regime officials as being devout Muslims. All received prison terms of at least five years (http://www.forum18.org/archive.php?article_id=2336).

Other violations of freedom of religion and belief

Tajikistan's other violations of the freedom of religion and belief and related human rights include: a ban on all exercise of freedom of religion or belief without state permission; severe limitations on the numbers of mosques permitted and activities allowed inside those mosques; the banning of Central Asia's only legal religious-based political party, the Islamic Renaissance Party, and the arrest as prisoners of conscience of its senior party figures; forcing imams in state-controlled mosques (the only sort permitted) to preach state-dictated sermons (http://www.forum18.org/archive.php?article_id=2138)

The regime has also: forcibly closed thousands of mosques (http://www.forum18.org/archive.php?article_id=2356); banned all public beard and hijab-wearing, enforced using police roadblocks among other methods (http://www.forum18.org/archive.php?article_id=2421); banned teachers and school pupils attending mosques on the Muslim festival of Id al-Adha, even though it is a public holiday, as well as banning customs such as haj pilgrimage returnees holding celebratory meals. (http://www.forum18.org/archive.php?article_id=2315); and denied religious funerals to about 50 prisoners killed while the regime suppressed a November 2018 Khujand Labour Camp riot (http://www.forum18.org/archive.php?article_id=2439). (END)

Full reports on freedom of thought, conscience and belief in Tajikistan (<http://www.forum18.org/archive.php?country=31>)

For more background, see Forum 18's Tajikistan religious freedom survey (http://www.forum18.org/archive.php?article_id=2138)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (http://www.forum18.org/archive.php?article_id=1351)

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