

24 June 2009

TAJIKISTAN: Places of worship confiscated with little compensation

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

Twelve years after it legally bought its worship building in the capital Dushanbe, members of the Grace Sunmin Protestant Church have until 1 July to remove the extensions they added to the building and vacate it, church members told Forum 18 News Service. "I understand that they should be packing and leaving the building now, if they haven't already done so," Deputy Culture Minister Mavlon Mukhtarov told Forum 18. But he refused to explain why the church has been stripped of its property with only minimal compensation being offered. Ten months after another Protestant Church in Dushanbe was bulldozed in city redevelopment plans, the promised compensation has not been given, church members told Forum 18. Meanwhile, as an "exception", a five-fold mosque in Dushanbe was allowed to hold a sermon at Friday prayers on 19 June. Only Cathedral mosques are allowed to hold sermons. Mukhtarov refused to tell Forum 18 if the mosque will be allowed to hold sermons regularly in future or why sermons are allowed in only a minority of mosques.

Tajikistan continues strict controls over religious communities and attacks against places of worship, Forum 18 News Service has found. Establishing new places of worship and retaining ones that the religious communities have is difficult. One officially registered Protestant Church – Grace Sunmin Church in the capital Dushanbe – is being forced to vacate its own church building by 1 July, church members told Forum 18. Unwilling to discuss why the authorities challenged the Church's ownership of its property was Deputy Culture Minister Mavlon Mukhtarov. "I understand that they should be packing and leaving the building now, if they haven't already done so," he told Forum 18 on 23 June. It is uncertain where the congregation will hold church services in future.

Ceilings have been imposed on the number of mosques, while sermons at Friday prayers are banned in all mosques except Cathedral mosques. Despite an application three years ago by local Muslims, officials refused to register a five-fold prayer mosque in Dushanbe's Sino District as a Cathedral mosque. Mukhtarov, who as Deputy Culture Minister oversees registration of religious organisations, insisted to Forum 18 that it did not have "proper documents". He refused to explain why sermons are allowed in only a minority of mosques.

An officially registered Protestant Church in Dushanbe, whose building was bulldozed in 2008, has not received any compensation after ten months, and the place it has been renting still needs to be approved by the Culture Ministry. Tajikistan's only Jewish community – which saw its synagogue bulldozed in 2008 – is also still trying to register its new building.

Controls on religious activity in Tajikistan have been steadily tightening. Jehovah's Witnesses have had all their activities banned, as have Salafi Muslims. A highly restrictive new Religion Law came into force in April. Some 93 followers of the Jamaat Tabligh movement arrested in April and May face prosecution. Female students who wish to wear the hijab (Islamic headscarf) have been expelled from educational institutions (see F18News 12 June 2009 http://www.forum18.org/Archive.php?article_id=1312).

Muslims forced to crowd into Cathedral mosques for Friday sermons

On 19 June in one district of Dushanbe for the first time, the Culture Ministry and the district authorities as an "experiment" allowed a Friday sermon to be preached in a five-fold mosque to ease the crowds at a nearby Cathedral mosque, according to a Dushanbe-based imam, who wished to remain unnamed for fear of reprisals from the authorities. The mosque is located in the city's Sino District behind the District Prosecutor's Office.

"People in the area go to Cathedral mosques to hear sermons on Fridays," the imam told Forum 18 on 23 June. "This time the crowds in Yakachinar [a nearby cathedral mosque] were so big and the overflow of people covered the nearby road. So the authorities had no other choice but to allow a sermon to be preached in that mosque."

The imam complained that local Muslims were unsuccessful when they tried three years ago to register the mosque, which already existed during the Soviet times, as a Cathedral mosque. "It was only registered as a five-fold mosque," he told Forum 18.

Deputy Minister Mukhtarov insisted that the mosque was not authorised for Friday prayers and sermons because it does not have

"proper documents." "Now we allowed it to be used as an experiment to see if this would ease the crowds at Yakachinar," he told Forum 18. Asked if he would now authorise the use of the mosque for Friday prayers and sermons on a regular basis, Mukhtarov did not answer directly. "The people should first collect proper documents, and then we will see." He declined to discuss the issue further.

The imam said the Yakachinar mosque has seen "so much arguing between the police and attendees" on Fridays. "People come for Friday prayers but cannot find space inside - police warn them not to pray outside the territory of the mosque," he explained. "Although the mosque is a three storey building and can hold several thousand people, it is still not able to hold all who come."

The new Religion Law establishes ceilings on the number of mosques allowed in residential areas. Parts 3 and 4 of the Law's Article 11 allow one Cathedral mosque for every residential area with a population of between 10,000 and 20,000 (with a population between 30,000 and 50,000 in Dushanbe), and one five-fold mosque (considered to be mosques for five time prayers) in every area with a population between 100 and 1,000 (with a population between 1,000 and 5,000 in Dushanbe).

Forum 18 was recently told that there is "an unwritten instruction" from the state authorities banning preaching in five-fold mosques. Mukhtarov had specifically denied to Forum 18 that any ban has been imposed on sermons anywhere apart from in Cathedral mosques. "I can only talk to you and those people in person to answer," was his response when asked why imams in certain cases have not been allowed to do so (see F18News 19 June 2009 http://www.forum18.org/Archive.php?article_id=1315). This means that any Muslim desiring to hear sermons would need to attend a Cathedral mosque, which could explain why Yakachinar mosque has been overcrowded on Fridays.

"The current number of mosques in Tajikistan is much lower than even the quota in the Law," the imam from Dushanbe stated. The country "needs" to build more mosques to fill that quota, he said. He added, however, that he was "afraid that even in that case there would not be" enough mosques.

"Muslims in a big city such as Dushanbe experience difficulty attending mosques, especially for Friday prayers," the imam continued. "There is not enough room in all the existing mosques to accommodate all the believers wishing to attend." Some 340,000 people live in Sino District of Dushanbe alone, the imam said. "There are only eight mosques in such a big district, and of course, these cannot possibly fit all who wish to attend."

Mukhtarov did not directly answer the questions why there are so few mosques in the Sino District, and if the government would allow new mosques to be built. "We are not against new mosques, we only want people to organise mosques with proper documents based on the quota in the Law," he insisted.

Dushanbe City Executive Authorities in the past have bulldozed mosques in Dushanbe under the city reconstruction plans (see F18News 10 October 2007 http://www.forum18.org/Archive.php?article_id=1032).

Court appeals fail to help Grace Sunmin Church retain its building

Members of the 400-strong Grace Sunmin Protestant Church in Dushanbe have been given 1 July as a final deadline to vacate their church building. Officials have refused to discuss with Forum 18 why the authorities challenged the Church's ownership of its property. Deputy Minister Mukhtarov claimed that the Church will be allowed to hold services in another location.

The Grace Sunmin church member told Forum 18 they have decided to leave the building by 1 July as agreed with the authorities. However, he said that the Church intends to make a final appeal in the Court. "Even though we know it is pointless, we will do this to exhaust all the domestic remedies," he told Forum 18 on 16 June. He said the church is looking for ways to legally challenge the confiscation on the international level but "we do not know how."

Numerous appeals in Tajikistan's High Economic Court, which is the ultimate judicial authority in economic matters, and Dushanbe City Economic Court have not helped the Church to retain its building. In the latest decision, on 11 June the High Economic Court, in a cassation appeal by the church, upheld the previous court decisions to strip it of its property.

Judge Vaisiddin Satkhuddinov, who chairs cassation appeal cases in the High Economic Court, told Forum 18 on 16 June that the Grace Sunmin Church has one last chance to appeal to the Court's Panel of Judges within the next six months. Asked if that could change anything in favour of the church, Judge Satkhuddinov responded: "I am just telling you of the procedure, and that they may appeal one more time." He did not want to discuss the case further.

Grace Sunmin Church bought its building, a former unfinished construction originally intended to become a school, in 1997. The church received its certificate of ownership of the building in July 1998. It then began work to complete construction (the building had no roof) and interior renovation works. The church moved into the building only in 2000, the year after their previous place of worship was devastated in a bomb attack that killed nine people. Since 2002 the authorities have been challenging the church's ownership of its building (see F18News 20 January 2009 http://www.forum18.org/Archive.php?article_id=1242).

In the meantime on 20 May the Grace Sunmin Church met the representatives of Dushanbe City Executive Authorities, who have challenged the church's property in the Court, and bailiffs of Tajikistan's High Economic Court to jointly sign a formal note on delivery and acceptance of the building, a member of the church who wished to remain unnamed told Forum 18 on 16 June. "Under the terms of the agreement, we will have to finish dismantling and taking apart the extensions we made to the building and vacate it by 1 July, the final deadline given to us."

The church member said that they will not demand the compensation offered by authorities "since the amount is around four thousand US dollars, and is miserly compare to what we invested in the building."

Future place of worship uncertain for Grace Sunmin Church

Asked what will happen to the Grace Sunmin congregation now it is losing its place of worship, the church member told Forum 18: "We have asked other churches if they could help accommodate our services but we don't know where exactly we will meet."

Asked if the church will be allowed to meet in another building, Deputy Minister Mukhtarov said the owners of the building "should write a letter of permission" addressed to the Culture Ministry asking for permission for Grace Sunmin Church to be allowed to use it. The Grace Sunmin Church also "should write an official request" to the Ministry, he added. "We will then allow their meetings in another place within the district where they are registered."

Nani Hayat Protestant Church not paid compensation

Although ten months has passed since the Nani Hayat (Bread of Life) Protestant Church had its worship building bulldozed by Dushanbe City authorities against its wishes, the promised compensation has still not been given, a church member told Forum 18 on 22 June. The church has had to rent a new place for worship ever since.

The demolition of the church on 22 August 2008 was part of the plans to clear the area for the construction of the new Presidential Palace and park. The church had moved out of the building it owned two months earlier.

Official experts from the Mayor's Office appraised the building 383,000 Somonis (700,000 Norwegian Kroner, 83,000 Euros or 112,000 US Dollars). Soon after the church on 23 September 2008 sent an official letter, the Mayor's Office told the church that they forwarded the letter to the Presidential Administration's committee overseeing compensation awards for affected buildings in the rebuilding (see F18News 8 October 2008 http://www.forum18.org/Archive.php?article_id=1200).

Forum 18 has been unable to find out why the promised compensation has not been paid. The man who on 23 June answered the phone of Shakat Saidov, the mayor's spokesperson, told Forum 18 it was a "wrong number," and hung up.

The person who answered the phone on 23 June at the Presidential Administration introduced himself as Abdufattoh Sharofzoda, the head of the Press Service. When Forum 18 asked why the Nani Hayat Church has not received compensation, he then responded: "Sorry, Sharofzoda is on a trip in the countryside, and will not be back for a week. Only he can answer this question."

Deputy Minister Mukhtarov refused to comment on the case, saying that it is in the competence of the city mayor's office. Asked if the Ministry had any objections to the church functioning in a rented place before they were re-registered according to the new Religion Law, he responded, "Well, they should write us a letter about that."

Tajikistan's only synagogue in the process of registering its new building

Also destroyed in June 2008 as part of Dushanbe's reconstruction plans was Tajikistan's only synagogue, a century-old building. Although the State did not offer any compensation in money or property, a businessman (and a brother-in-law of the incumbent President Emomali Rahmon) gave a building to the Jewish community to use as a synagogue (see F18News 12 June 2009 http://www.forum18.org/Archive.php?article_id=1312).

The official opening ceremony of the building was held on 4 May, Rabbi Mikhail Abdurakhmanov of Tajikistan's only Jewish community told Forum 18 on 16 June. "Officials from the Presidential Administration, Dushanbe City Authorities, the imam of a neighbouring mosque and media representatives were invited to the event," he said.

However, Rabbi Abdurakhmanov said they still have not officially registered the building. He expressed hope that they would soon be able to register it as both their Cultural Centre and Synagogue. "The Justice Ministry has promised to help us with that." (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=190.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Tajikistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=tajiki>.

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