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TAJIKISTAN: Jail sentences, fines for studying Islam

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

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 men – whose names are unknown and whose ages ranged between about 30 and 40 - were jailed for between 6 and 9 years. Elsewhere, a man was fined 9 months' average wages for privately teaching Islam to his brother's wife, and a Muslim woman was fined 1 month's average wages for teaching the Koran to a neighbour's 8-year-old daughter.

On 23 March, a court in the capital Dushanbe jailed Imam Mukhammadi Mukharramov – who is now 50 - 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 (see below).

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 (see below).

The regime has long attempted to suppress the exercise of freedom of religion and belief outside state control, especially by Muslims (see below).

The most recent known prisoner of conscience jailed for exercising their freedom of religion or belief is Muzaffar Davlatmirov, a 59-year-old Ismaili Muslim religious leader. A court in Mountainous Badakhshan Region jailed him in August 2022 for five years for alleged "public calls for extremist activity". It is thought that prisoner of conscience Davlatmirov was jailed because he is respected by Ismaili Muslims (see below).

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. Muslims are under particularly close regime surveillance (see below).

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 (see below).

"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" (see below).

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 (see below).

Former prisoner of conscience Jehovah's Witness Shamil Khakimov, who is now 72, was released from prison on 16 May. Repeated requests to transfer prisoner of conscience Khakimov to a hospital for urgently-needed specialised medical care were refused, against international human rights law. "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 (see below).

Former prisoner of conscience Khakimov's sentence bans him from participating in any religious organisation for three years after his release (see below).

Imam and 12 Muslim men jailed for studying Islam privately

On 23 March, a court in the capital Dushanbe jailed Imam Mukharramov (born 15 June 1973, also known as Shaykh Makhmadi or Mukharramov) 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.

Dushanbe's Ismoili Somoni District Criminal Court jailed the 12 men along with Mukharramov for terms of between six and nine years. They were all convicted of "creating an extremist association" under Criminal Code Article 307-2 ("Participation in the creation or activity of an extremist association").

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 Ismoili Somoni District Court Chair Gayrat Sanginzoda on 16 June 2023 refused to discuss the case. Neither Judge Sanginzoda, nor Court First Deputy Chair Mizrob Kabirzoda, nor other officials answered their phones later the same day.

The family did not appeal against prisoner of conscience Mukharramov's sentence, but hope he will be given a presidential amnesty in 2024.

Suppressing the exercise of freedom of religion and belief outside state control

The regime has long attempted to suppress the exercise of freedom of religion and belief outside state control, particularly by Muslims.

On 12 February 2021, a Dushanbe court jailed Imam Sirojiddin Abdurahmonov (widely known as Mullo Sirojiddin) for five years and six months, along with an unknown number of others. The arrests followed a November 2020 National Security Committee (NSC) secret police raid on Imam Abdurahmonov's Dushanbe flat (https://www.forum18.org/archive.php?article_id=2642) when he was teaching a small group about Islam.

Similarly, on 4 June 2021 the NSC secret police arrested Imam Mahmadsodyk Sayidov for refusing to read the state-provided sermon all imams must read at Friday prayers, instead giving his own sermon. A Kulob court jailed him in June for five years for allegedly participating in a religious "extremist" organisation. The court also jailed two mosque attendees. A Judge could not explain to Forum 18 (https://www.forum18.org/archive.php?article_id=2678) what was "extremist" about the three men's alleged activity.

Like prisoner of conscience Imam Abdurahmonov (https://www.forum18.org/archive.php?article_id=2642), Imam Mukharramov has also been jailed previously. In 2016 he was jailed for eight years for allegedly being a Salafi, but was freed under amnesty in 2021, his brother Yusuf Mukharramov told Forum 18 on 14 June 2023.

Many were jailed as alleged "Salafis" (https://www.forum18.org/archive.php?article_id=2180) in 2016, and the Supreme Court banned the Salafi school of Islamic thought in 2009 (https://www.forum18.org/archive.php?article_id=2625).

The most recent known prisoner of conscience jailed for exercising their freedom of religion or belief is Muzaffar Davlatmirov, a 59-year-old Ismaili Muslim religious leader. A court in Mountainous Badakhshan Region jailed him in August 2022 (https://www.forum18.org/archive.php?article_id=2782) for five years for alleged "public calls for extremist activity". It is thought that prisoner of conscience Davlatmirov was jailed because he is respected by Ismaili Muslims.

Serious freedom of religion and belief violations continue, the latest known violation being a decree denying the families of those killed in alleged "anti-terrorism operations" (https://www.forum18.org/archive.php?article_id=2837) the possibility of, among other things, burying their dead with the religious or other rites they would have chosen or even knowing where they are buried. "The authorities are enforcing the decree violently" in Mountainous Badakhshan, exiled human rights defender and journalist Anora Sarkorova told Forum 18.

Police surveillance of meetings to study Islam?

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. "My brother is not an 'extremist' and did not teach 'extremism' to the men," his brother – who does not know the men – told Forum 18. "He only taught how to pray and practice your religion."

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 (https://www.forum18.org/archive.php?article_id=2625).

"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 (https://www.forum18.org/archive.php?article_id=2625).

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.

On 2 November 2022, Ismoili Somoni Police summoned Imam Mukharramov for questioning and then arrested him. Police told the family that Mukharramov's 2016 sentence banned him from teaching Islam privately, and this is also banned in law (https://www.forum18.org/archive.php?article_id=2625). Imam Mukharramov admitted in court to his "crime" of teaching religion privately.

Imprisoned

Imam Mukharramov is now in Strict Regime Prison No. 3/1 in Vahdat District, east of Dushanbe, where he will serve his eight-year term, which is counted from the date of his arrest, 2 November 2022. His prison address is:

Tajikistan

Shahri Vahdat

Muassisai Islohii YaS 3/1

Mukhammadi Mukharramov

Conditions in prisons can be harsh. In 2022, the Strict Regime Prison No. 3/1 administration put a prisoner in a punishment cell for 15 days for having a Koran and teaching Islam to other prisoners (https://www.forum18.org/archive.php?article_id=2812).

Mukharramov told Forum 18 that he met his brother in the prison in May 2023. "He was doing fine and he stays in a room with five other persons."

Fines for teaching Islam privately to one person

On 23 January 2023, Judge Mukhammad Salimzoda of Sangvor District Court in central Tajikistan fined a 38-year Muslim man 5,760 Somonis for privately teaching Islam to his brother's wife from November 2022, according to the Court website.

The man from Zugara village "grossly violated the requirements of Article 8, Part 4 of the Religion Law, under which giving religious education is only possible with a state licence". He was convicted under Administrative Code Article 474 (https://www.forum18.org/archive.php?article_id=2625) ("Violation of the Religion Law").

Videos and photographs, as well as witness statements from unnamed witnesses, were used to find the man "guilty" of giving private religious lessons to one person.

One month's local average wage for those in formal work is about 600 Somonis, so the fine is equivalent to about nine months' average wages.

No-one at Sangvor District Court answered their telephone whenever Forum 18 called on 16 June.

On 29 April 2023, Judge Latofat Jafarzoda of Dusti District Court fined 26-year old Nozanin Samiyeva 680 Somonis for teaching the Koran to the eight-year-old daughter of a neighbour. Samiyeva, a Muslim woman from Shakhdrez in the Dusti District of Khatlon Region of south western Tajikistan, was convicted under Administrative Code Article 474 (https://www.forum18.org/archive.php?article_id=2625) ("Violation of the Religion Law"), Part 1 for giving the Koran lessons between 2021 and 2023. She admitted she had done this, the Court website claims.

One month's local average wage for those in formal work is about 600 Somonis.

No-one at Dusti District Court answered their telephone whenever Forum 18 called on 16 June.

"People are afraid of talking about their problems"

"Only a tiny fraction of punishments against Muslims whose only guilt is to exercise their religious freedom and practice their religion are known," Muhammadiqbol Sadriddin of the exiled isloh.net website told Forum 18 on 14 June. "This is because people are afraid of talking about their problems."

Human rights defender Salimpur commented that President Emomali Rahmon "is afraid of religion and particularly Islam. He is afraid that he can lose his authority if Islam is more taught and honoured than him (https://www.forum18.org/archive.php?article_id=2811). The regime "keeps arresting and imprisoning any Muslim man who has the slightest influence on others or who teaches Islam to others." He observed that "President Rahmon is fighting Islam under the slogan of fighting 'extremism' and 'terrorism'."

Why?

Lieutenant Colonel Mammadsharif Odinzoda, head of the Interior Ministry section responsible for freedom of religion or belief related cases, refused to explain to Forum 18 on 19 June why police opened cases against people for teaching religion privately. He claimed he was "too busy" to do this, and referred Forum 18 to his deputy Major Aziz Amirzoda. Amirzoda claimed he cannot answer questions without written permission from the Interior Minister himself, and then put the phone down.

Yusuf Ruzizoda, Deputy Head of the International Section at the Prosecutor General's Office in Dushanbe, claimed such cases were opened because teaching religion privately is banned by the Religion Law and the Criminal and Administrative Codes. When Forum 18 asked why people have to ask for state permission to teach or receive education on the religion of their choice, Ruzizoda responded: "I do not think that it is proper to discuss such issues over the phone. You need to send your questions in writing." He then put the phone down.

Neither State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (https://www.forum18.org/archive.php?article_id=2625) (SCRA) Chair Sulaymon Davlatzoda, nor SCRA Deputy Chair Farrukhullo Olimzoda answered their telephones whenever Forum 18 called on 19 June.

Prisoner of conscience released, post-prison punishment starts

Former prisoner of conscience Jehovah's Witness Shamil Khakimov was released from prison in the northern city of Khujand on 16 May at the end of his sentence, Jehovah's Witnesses told Forum 18. Fellow Jehovah's Witnesses welcomed him outside the prison on his release, with balloons and a poster reading "Shamil, we love you!"

On 10 September 2019, a court in Khujand jailed Khakimov for seven years, six months for allegedly "inciting religious hatred" (https://www.forum18.org/archive.php?article_id=2506). (His jail term was later twice reduced.)

Khakimov had been in pre-trial detention since February 2019, and 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.

Among the "evidence" produced was a hostile "state religious expert analysis" (https://www.forum18.org/archive.php?article_id=2506) of a Tajik translation of the Bible, produced by three state-controlled imams at the request of the NSC secret police.

"I am guilty of nothing," prisoner of conscience Khakimov told the Court. His real "crime" seems to be that the regime thinks he led Khujand's Jehovah's Witness community (https://www.forum18.org/archive.php?article_id=2506).

The prison administration rejected repeated requests to transfer prisoner of conscience Khakimov to a hospital (https://www.forum18.org/archive.php?article_id=2812) 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.

"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.

Former prisoner of conscience Khakimov's sentence bans him from participating in any religious organisation (https://www.forum18.org/archive.php?article_id=2506) 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. (END)

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

For background information, see Forum 18's Tajikistan religious freedom survey (https://www.forum18.org/archive.php?article_id=2625)

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

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