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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

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TAJIKISTAN: Madrasa still closed; state registration to be compulsory?

By Igor Rotar, Forum 18

Pulat Nurov, the Islamic affairs specialist of the state Religious Affairs Committee, has told Forum 18 News Service that, in a planned new religion law, "it will clearly be stated that registration of religious organisations is compulsory." If this proves to be the case, Tajikistan will join Belarus, Turkmenistan, Uzbekistan and Kazakhstan in breaking international human rights obligations by making state registration compulsory. Nurov was speaking to Forum 18 about "inconsistencies" in the current 1994 Religion Law in relation to the continued closure of an Islamic religious school in northern Tajikistan. This madrasa is being barred from operation by the authorities, even though there is no legal basis for the government to do this. Nurov admitted to Forum 18 that registration of the madrasa is not compulsory and that no existing state agency can control the teaching of Islam. "These are the annoying defects of the Religion Law adopted back in 1994," he complained.

The authorities in the town of Isfara in Tajikistan's northern Sugd region are still refusing to open a madrasa (Islamic religious school) in the village of Chorku on the outskirts of the town, Forum 18 News Service has found. The Isfara district is one of the most strongly Islamic areas of the country. The sale of alcohol in some local villages is strictly prohibited and women there wear the hijab (a special headscarf frequently worn by Muslim women which covers their neck and hair). On occasion local Muslims have even burnt down shops selling alcohol.

The authorities closed the Chorku madrasa after a visit to Isfara in July 2002 by Tajik President Emomali Rahmonov, who announced at the time that three Isfara natives who had fought in Afghanistan with the Taliban were prisoners at the American base in Guantanamo Bay (see F18News 31 July 2003 http://www.forum18.org/Archive.php?article_id=118).

The head of the District Administration, Mukhiba Yakubova, admitting that the madrasa was still closed, told Forum 18 that "the teachers do not hold a teaching licence from the Muslim Spiritual Administration," speaking on 1 March in Isfara. "There is some doubt over whether they are sufficiently qualified." She said that the government's Religious Affairs Committee is currently considering the issue of the Chorku madrasa.

In the town of Khujand, the administrative centre of Sugd region 150 kilometres (95 miles) to the west of Isfara, the authorities ordered the removal of four local imams last December, citing the same reason (see F18News 7 March 2006 http://www.forum18.org/Archive.php?article_id=739).

Article 5 of the Religion Law does require that "people who teach religious beliefs must have permission from the appropriate spiritual administration". However, in 1994 the Spiritual Administration of Muslims in Tajikistan was disbanded because the leaders of this agency had taken an active role in the civil war on the side of the opposition. The government later handed the Administration's former powers to the Council of Ulems, though the Council in practice does the government's bidding (see F18News 16 February 2004 http://www.forum18.org/Archive.php?article_id=253).

Therefore, currently every mosque and madrasa is an independent agency – there is simply no-one qualified to issue them with a licence to teach Islam (see F18News 7 March 2006 http://www.forum18.org/Archive.php?article_id=739).

Abdusator Boboyev, head of the Isfara branch of the Islamic Revival Party (IRP), told Forum 18 that "this madrasa is as vital to us as the air we breathe," he told Forum 18 News Service on 1 March in Isfara. "The people in our district are very devout, and the madrasa in Chorku was effectively the only place where believers could find out about Islam." The IRP is the only legal overtly Islamic party in Central Asia.

Boboyev also said that, in December 2005, Muslim believers completed construction of a large new mosque in Isfara, which they had paid for, but the authorities had prevented it from opening.

Yakubova of the District Administration said that the documents required for the registration of the new mosque in Isfara were also with the Religious Affairs Committee. "We have been asked for a letter stating that we have no objection to the opening of the new

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mosque. We have written that letter. I believe that the Regional Justice Administration will soon register the new Isfara mosque. Until that has happened, we are indeed preventing believers from meeting there," Yakubova told Forum 18. However, under the Religion Law, registration of the mosque is not compulsory.

Pulat Nurov, the Islamic affairs specialist at the Religious Affairs Committee, insisted to Forum 18 that the Chorku madrasa had been closed not only because its teachers did not have licences to teach. "It was established that several of them were members of the Islamic Revival Party," he told Forum 18 from Dushanbe on 10 March. "Article 4 of our Law on Political Parties states that political parties and their members do not have the right to make use of religious organisations in their work." He said the question of the Chorku madrasa would be resolved after the country has adopted its planned new law on religion.

Nurov admitted that under the current Religion Law registration is not compulsory. He also admitted that there is no Muslim Spiritual Administration and therefore there is no-one from whom those teaching Islam can receive permission. "These are the annoying defects of the Religion Law adopted back in 1994," he complained to Forum 18. "These inaccuracies lead to such exceptional juridical cases."

He said that a new religion law will soon be adopted where these "inconsistencies" would be eliminated. "In the new law for example it will clearly be stated that registration of religious organisations is compulsory." If this is indeed the case, Tajikistan will join Belarus, Turkmenistan, Uzbekistan and Kazakhstan in breaking international human rights obligations by making state registration compulsory.

For more background see Forum 18's religious freedom survey at http://www.forum18.org/Archive.php?article_id=190

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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