

TAJIKISTAN

Executive Summary

The constitution protects religious freedom; however, other laws and policies restrict religious freedom and, in practice, the government enforced some of those restrictions. The government demonstrated a trend toward deterioration in respect for and protection of the right to religious freedom.

Most minority religious communities were able to attend places of worship, but only Muslim adult men and their sons, upon approved petition, were allowed to attend mosques. Organizations that did not reregister or that the government refused reregistration were closed. The government continued to express concern about religious practices and groups that it claims represent a foreign ideology or present a threat to social order. During the year, the government required all persons studying religion abroad to register with the Committee on Religious Affairs (CRA), the Ministry of Education (MOE), and the Ministry of Foreign Affairs. The government also maintained bans on religious groups (Jamoat Tabligh, Hizb ut-Tahrir, the Salafi Group) it classified as “extremist.” The MOE maintained a dress code banning the hijab (women’s headscarf) in schools and universities on the premise of preserving the secular education system. The government generally enforced legal restrictions on religious freedom, interpreting its right to restrict religious activity very broadly and essentially requiring that any activity be government-approved to be legal.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Some women who wore the hijab and men with beards were discriminated against in seeking employment.

The U.S. government regularly discussed religious freedom with government officials, including members of the CRA, as part of its overall policy to promote human rights and engage religious communities. The ambassador met regularly with the CRA chairman to address U.S. government concerns regarding religious freedom and new laws that may further restrict this freedom. Embassy staff and visiting U.S. government officials met regularly with community leaders of different religious groups. Embassy staff investigated instances of potential discrimination and discussed such cases with the government.

Section I. Religious Demography

According to local academic experts, the population is more than 90 percent Muslim. Overall, active observance of Islam appeared to be increasing steadily, especially among youth. The majority of inhabitants adhere to the Hanafi school of Sunni Islam. Approximately 4 percent of Muslims are Ismaili Shia, the majority of whom reside in the remote eastern Gorno-Badakhshan Autonomous Region. The country has approximately 3,366 “five-time” prayer mosques and 345 “Friday prayer” mosques (larger facilities built for weekly Friday prayers).

There are 75 registered non-Muslim religious organizations. There are approximately 150,000 Christians, mostly ethnic Russians and other Soviet-era immigrants. The largest Christian group is Russian Orthodox; there are also Baptists, Roman Catholics, Seventh-day Adventists, Lutherans, and Korean Protestants. There are also a small number of Baha’is and fewer than 300 Jews in the country. The only synagogue was destroyed to make room for a new government building project. A new location was offered by a high ranking member of the government and is in use.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution protects religious freedom; however, other laws and policies restrict religious freedom. There is no official state religion, but the government recognizes the “special status” of Hanafi Islam.

The CRA is the main body overseeing and implementing all religious laws. Religious organizations and institutions must register with the government, a process overseen by the CRA. The nominally independent Council of Ulema is an Islamic council that issues fatwas and religious guidance to Islamic religious organizations. Many observers believe that the Council of Ulema is heavily influenced by the government and tasked to promote official state policies regarding Islam. Separate from the CRA, the Center for Islamic Studies within President Rahmon’s executive office monitors religious developments and helps formulate the government’s religious policy.

The Law on Parental Responsibility, signed into law in August, prohibits persons under 18 from participating in public religious activities with the exception of funerals. There is a caveat that allows parents to petition the CRA to allow their children to attend religious services.

The Law on Freedom of Belief and Religious Organizations expanded the government's power to regulate religious communities and required all registered religious organizations to reregister with the government by January 1, 2010. Most religious communities completed reregistration by the deadline. In the absence of registration, local authorities can force a place of worship to close and fine its members, although some unregistered minority communities have been able to worship unimpeded. Some groups met the deadline but were refused reregistration. The government also maintains a list of banned groups it considers "extremist," including Jamaati Tabligh (an Islamic missionary organization), Hizb ut-Tahrir, and the Salafiya movement.

The Law on Freedom of Belief and Religious Organizations regulates registration, size, and location of mosques, limiting the number of mosques that may be registered within a given population area. "Friday" mosques are allowed in districts with 10,000 to 20,000 persons; "five-time" mosques are allowed in areas with populations of 100 to 1,000. In Dushanbe, "Friday" mosques are allowed in areas with 30,000 to 50,000 persons, and "five-time" mosques are allowed in areas with populations of 1,000 to 5,000. The law stipulates that imams and imam-khatibs are selected by "the appropriate state bodies in charge of religious affairs." The religion law allows one central "Friday" mosque per district, and makes other mosques subordinate to it. The law also restricts Muslim prayer to only four locations: the mosque, cemetery, home, and at holy shrines.

The Law on Freedom of Belief and Religious Organizations requires that all institutions or organizations wishing to provide religious instruction must first obtain permission and be registered through the CRA. Only central district mosques may operate madrassahs for high school graduates. Other mosques, if registered by the government, may operate religious schools for younger students. One madrassah that provides both religious and secular instruction for students above the ninth grade continues to operate in Dushanbe. The only synagogue is not officially registered, but persons are allowed to worship. It was not registered because the community is not large enough to meet the Jewish and Tajik requirements for formal registration of a synagogue. It is legal for parents to teach religious beliefs to their children in the privacy of their home, provided the child expresses a desire to learn. However, religious homeschooling outside the immediate family is forbidden.

The MOE oversees implementation of legal provisions related to religious instruction in schools. In 2011 the MOE ended a weekly, one-hour course on

Islam that was taught in public schools. The Islamic Institute of Tajikistan, the only Muslim higher education institution in the country, is under MOE authority; MOE approves the rector, faculty, and all programs of study. The government inspects the curricula at madrassahs and periodically monitors classes.

A 2004 Council of Ulema fatwa prohibiting women from praying in mosques remained in effect. Council of Ulema members promoted official government policies regarding women praying in mosques, stating that according to the country's Islamic traditions, women should pray at home.

The MOE continued to enforce dress and personal conduct codes that infringed on religious expression. School and university students were prohibited from wearing the hijab, although wearing traditional Tajik hats and scarves was permitted. Council of Ulema members have not disputed the MOE dress code banning the hijab in schools, ruling that the national head covering may substitute for the hijab. Women who studied at the Islamic Institute and madrassahs were able to wear the hijab.

The 2009 MOE's dress code also prohibits teachers under age 50 from wearing a beard. There were reports that men were not able to obtain a passport if photographed with a beard, and women were not permitted to be photographed while wearing a hijab, unless traveling for the Hajj. The Council of Ulema stressed the need for persons to wear traditional Tajik robes and headwear in public, as opposed to foreign religious dress such as the hijab.

The Law on Observing National Traditions and Rituals regulates private celebrations and funeral services, including weddings, funerals, and Mavludi Payghambar (the Prophet's birthday). The stated intent of the law is to protect the public from spending excessive amounts of money on these celebrations, which often included several hundred guests. The law limits the number of guests, eliminates engagement parties, and controls ceremonial gift presentations and other rituals. The Law on Freedom of Belief and Religious Organizations reiterates these principles, mandating that "mass worship, religious traditions, and ceremonies should be carried out according to the procedure of holding meetings, rallies, demonstrations, and peaceful processions prescribed by law of the Republic of Tajikistan."

The government tightly controls the publication, importation, and distribution of religious literature. Religious organizations are required to submit copies of all literature to the Ministry of Culture for approval one month prior to delivery.

Religious associations may import an unspecified “proper number” of religious materials.

The CRA regulates citizen’s participation in the Hajj. The CRA collects applications and fees for participation in the Hajj and makes all flight and hotel arrangements in Saudi Arabia. The authorities prevent participation of citizens under age 18. The CRA reported that 5,659 Tajik citizens made Hajj in 2011. The fee to participate in the Hajj was 16,400 TJS (\$3,448), which was 1,220 TJS (\$257) more than the prior year. Most who applied were allowed to go. Cases of corruption were reported in the selection of candidates for pilgrimage. The Head of the Religious Department of the Administration in Southern Khatlon region was dismissed in November 2011 for involvement in bribery during the 2011 Hajj process.

The government observes the following religious holidays as national holidays: the Islamic holy days of Idi Ramazon (Eid al-Fitr) and Idi Qurbon (Eid al-Adha).

Government Practices

There were reports of abuses of religious freedom, including prisoners and detainees in the country. The government generally enforced legal restrictions on religious freedom, interpreting its right to restrict religious activity very broadly and essentially requiring that any activity be government-approved to be legal.

In July authorities arrested an imam-khatib in the Rudaki District for teaching religious classes at home. Authorities claim the imam was providing religious instruction to children under 18 without proper permission from the CRA. The imam was administratively charged and fined. Two imam-khatibs were detained in Panj District in the Southern Khatlon Region for illegally teaching religious classes in private homes. In both cases the imams were administratively charged and fined.

In January local authorities in the Qubodiyon district detained two groups of followers of the banned Salafi branch of Islam. According to local authorities, the leaders of the two groups organized classes on Islam for 60 local children and planned to illegally send them abroad to study. Only a limited number of local imams were licensed to teach Islam and the Arabic alphabet to children. Children who wanted to study Islam in depth had to request permission to attend authorized madrassahs.

Government-owned media outlets did not regularly publish religious literature, but on occasion published copies of the Qur'an in the Tajik language. Heavy fines on the “production, export, import, sale, and distribution of religious literature” without permission from the CRA were levied. The government charged a fee per page to “review” religious literature before granting this permission. The law went into effect on January 1.

In May a cameraman who is a member of the Islamic Revival Party (IRPT) reportedly was detained by Asht district authorities for “disrespect toward authority” for filming “Islamic weddings.” Asht district authorities allegedly warned Sharofidinov to stop filming “Islamic” weddings and confiscated one of his videos. After he reportedly contested the confiscation, he was detained on May 6. The IRPT in Sughd submitted a letter of complaint to provincial authorities complaining of harassment of IRPT members and a government campaign to use mosques to agitate against the party. Two members of IRPT and the two wedding facilitators were charged in June with misdemeanors for violating the “Law on Religion” and the “Law on Rituals and Traditions” by delivering religious sermons without government registration.

On July 22, the Tajik State Committee for National Security (GKNB) arrested Sherzod Rahimov, an Uzbek and member of the Jehovah's Witnesses. Authorities released him the next day, but without his passport. His Tajik visa expired on July 24, and on August 12, Rahimov represented himself in court as he could not obtain a lawyer without his passport. The judge sentenced him to a 380 TJS (\$80) fine for the expired visa and teaching religion without permission. Authorities deported Rahimov to Uzbekistan on August 17.

On June 2, a judge dismissed a case against eight members of the Jehovah's Witnesses who were briefly detained in mid-May. The group had gathered to watch a video of a Russian Jehovah's Witnesses event when they were detained.

There were reports of police intimidating men wearing beards. According to the Associated Press, in January police in Dushanbe detained approximately 30 bearded men. Also according to the Associated Press, Parviz Tursunov, a soccer player for Khayr Vakhdat, was prevented by the Football Federation authorities from playing because he wore a beard. There is no law against wearing a beard in the country; however, government officials, teachers, and students in government schools may not wear beards. It was common to find men working in local bazaars wearing beards and not facing police harassment.

Some religious minority communities continued to report that local officials obstructed their efforts to register new churches, refused to provide necessary documentation for registration, and intimidated community members. During the year, 16 mosques were closed in the Southern Khatlon Region due to the lack of necessary documentation. Subsequent efforts to reregister were refused, and they were later converted into public facilities.

In October courts rejected a member of the Jehovah's Witnesses' appeal of the government's denial of its registration as a religious organization based on the concern that aggressive proselytizing by non-Muslim groups might lead to social instability.

In August Tajik authorities suspended classes at four Islamic higher education schools in the Northern Sughd Region. According to a representative from the local government, the madrassahs failed to reregister their schools as required by the "Law on Religion." In November, a madrassah was closed in Qurghonteppa based on incomplete documentation.

Mosques generally enforced the 2004 Council of Ulema fatwa prohibiting women from praying in mosques. Many imams believed that they would face problems with the government if they allowed women to attend their mosques.

There were reports of the government monitoring mosques throughout the country during Friday prayers and of preventing young persons from entering mosques, in accordance with the Law on Parental Responsibility.

The government tightly controlled religious instruction. In August 2010 the president called for local youth to return from foreign madrassahs. Officials later clarified that only students who were studying abroad "illegally" were required to return. While officials stated that only those students with MOE approval were engaged in study legally, the MOE also reported that it did not approve any Tajik students to study religion abroad. Officials voiced concern that foreign madrassahs were training students to be extremists and terrorists. At the government's order, more than 2,000 students returned from studying in foreign religious institutions, including such institutions such as Cairo's Al-Azhar University. At year's end, more than 400 students of religion remained abroad at the approval of the government and a new process was established to vet potential students who want to study abroad.

During the year, the government closed private religious schools that were not registered with the CRA. Some citizens complained that because of transportation difficulties, it was difficult for children to attend registered religious schools.

Officials inspected bookstores, newsstands, kiosks, markets, and mosques and confiscated unregistered religious materials. Vendors were allowed to sell basic Islamic texts including the Qur'an, the Hadith, the history of the Prophet, and prayer books. However, vendors were blocked from selling Shia literature, texts considered "non-Hanafi," and audio and video disks featuring prominent Tajik imams. The government restricted the sale of previously permitted foreign religious movies, in particular Iranian and Turkish movies.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

On December 31 a man dressed as Father Frost (Santa Claus) was stabbed to death. It remains unconfirmed whether religion played a factor in the attack. Some reports suggest the fight began when a group of young men confronted the man and asked why he was dressed for a non-Islamic holiday. The day prior, the Tajik Council of Ulema made statements characterizing New Year's eve/day as non-Muslim.

Some women expressed concern that an increasing number of men, including many who returned from the Hajj, pressured women in their families to wear the hijab. Some women who wore the hijab reported they had difficulty finding employment due to discrimination against women who wear religious dress. Men with beards also faced problems in finding employment.

Section IV. U.S. Government Policy

U.S. embassy officials regularly met representatives of the CRA to discuss the need to promote international religious freedom as well as cases of concern. Embassy officials met with prominent imams, Muslims clerics, Catholic priests, and members of other religions and denominations to discuss the level of religious freedom in the country. U.S. officials also met with members of the banned Jehovah's Witnesses and monitored government cases against their members. The embassy hosted an iftar (evening meal during Ramadan) for women.