

TAJIKISTAN

TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

In 2018, religious freedom conditions in Tajikistan trended the same as in recent years, as President Emomali Rahmon and the Tajikistani government continued their repressive policies, suppressing displays of public religiosity and persecuting minority communities, especially actual and alleged Salafists. Authorities pursued a crackdown on various attributes of faith, including restrictions on wedding and funerary banquets, and pursued extralegal bans on beards and hijabs. Higher Islamic religious education was all but decimated, and updates to the country's 2009 religion law resulted in the closing of more than 2,000 mosques in the last two years. Under the guise of a struggle against religious extremism, the government continued to torment former members of the banned Islamic Renaissance Party of Tajikistan (IRPT), sentencing rank-and-file former party

members to extensive jail time and extraditing former party elites from abroad; the party's legal existence was part of the country's post-civil war peace treaty.

Based on these concerns, in 2019 USCIRF again finds—as it has since 2012—that Tajikistan merits designation as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA). The U.S. Department of State designated Tajikistan as a CPC for the first time in February 2016 and did so again most recently in November 2018. Nevertheless, the State Department immediately issued a waiver against any related sanctions on Tajikistan “as required in the ‘important national interest of the United States.’” USCIRF recommends that the State Department redesignate Tajikistan as a CPC under IRFA and lift the waiver.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Condition U.S. assistance to the Tajikistani government, with the exception of aid to improve humanitarian conditions and advance human rights, on the government reforming the 2009 religion law and improving conditions of freedom of religion or belief;
- Work with the international community, particularly during Organization for Security and Cooperation in Europe (OSCE) events on countering terrorism, to include private and public criticism of Tajikistan's approach to regulating religion and countering extremism—including its classification of the IRPT as a terrorist group;
- Press for at the highest levels and work to secure the immediate release of individuals imprisoned for their peaceful religious activities or religious affiliations and press the Tajikistani government to treat prisoners humanely and allow them access to family, human rights monitors, adequate medical care, and lawyers, and the ability to practice their faith; and
- Ensure continued U.S. funding for Radio Ozodi, contingent on its compliance with international standards of journalistic objectivity, so that uncensored information about events inside Tajikistan, including those related to religious freedom, will be disseminated.

COUNTRY FACTS

FULL NAME

Republic of Tajikistan

GOVERNMENT

Presidential Republic

POPULATION

8,604,882

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

Technically a secular state with complete religious freedom. In reality, Sunni Hanafi Islam and Russian Orthodox Christianity

receive preference from the state and are themselves highly monitored and restricted.

RELIGIOUS DEMOGRAPHY*

90% Muslim (86% Sunni Muslim and 4% Shi'a Muslim)
10% Other (including Russian Orthodox, Protestants, Catholics, Jehovah's Witnesses, Buddhists, Jews, and Baha'is)

*Estimates compiled from the CIA World Factbook and the U.S. Department of State

BACKGROUND

Tajikistan is an isolated and impoverished country, ruled since 1992 by President Emomali Rahmon, who has concentrated power in the hands of his family. In January 2017, President Rahmon appointed his son to be mayor of the capital city, Dushanbe. In the 1990s, Tajikistan experienced a five-year civil war that resulted in more than 100,000 deaths; the post-war amnesty included many Tajikistani officials responsible for torture. The government is weak and highly corrupt, and 40 percent of the country's gross domestic product is from labor remittances, mostly from Russia.

Tajikistan's legal environment for freedom of religion or belief sharply declined after several highly restrictive laws were adopted in 2009. In particular, the Law on Freedom of Conscience and Religious Unions set onerous registration requirements; criminalized unregistered religious activity, private religious education, and proselytism; set strict limits on the number and size of mosques; allowed state interference with the appointment of imams and the content of sermons; required official permission for religious organizations to provide religious instruction and communicate with foreign coreligionists; and imposed state controls on the content, publication,

and import of religious materials. Small Protestant and other groups cannot obtain legal status under the burdensome registration requirements.

In 2011 and 2012, administrative and penal code amendments set new penalties, including large fines and prison terms for religion-related charges such as organizing or participating in "unapproved" religious meetings. Alleged organizers of a "religious extremist study group" face eight- to 12-year prison terms. A 2011 law on parental responsibility banned minors from any organized religious activity except funerals. In addition, Tajikistan's extremism law fails to define extremism clearly and often leads to arbitrary detention. Extremist, terrorist, or revolutionary activities are punishable without requiring acts that involve violence or incitement of imminent violence. Trials under these charges lack due process and procedural safeguards. The Tajikistani government continues to use concerns over Islamist extremism to justify actions against participants in certain religious or political activities. Although the existence of the IRPT—the former Soviet Union's only legal Islamic political party—was a condition of the post-civil war peace treaty, in September 2015 the Tajikistani government banned the IRPT as an extremist group. The government's suppression of the IRPT is intertwined with its repression of Islamic religious practices; the group had called for respecting Tajikistan's secular

constitution and international religious freedom commitments, and opposed restrictions on beards, headscarves, religious education, and children attending mosques.

In 2018, the occurrence of two significant security events gave the government greater pretext to clamp down on religious freedom in the country. First, in July 2018, a group of Tajikistani citizens with Islamic State sympathies attacked a group of foreign cyclists, killing four—including two American citizens—in the Khatlon region, in one of the only domestic terror attacks in recent years. Then, on November 8, a riot broke out at a high-security prison near Khujand that houses prisoners, including many convicted of terrorism and extremism. The government declared a death toll of 21 prisoners and two guards, while unofficial sources claimed the number was as high as 50 inmates and six guards. The deceased prisoners were denied Muslim burials. The Tajikistani government blamed the first event on the IRPT, despite the Islamic State of Iraq and Syria (ISIS) claiming credit, but did not contest ISIS's claim for the second event. Some observers were skeptical about the extent to which the riot was actually orchestrated by the terrorist entity, citing credible reports that it was a spontaneous reaction to harsh conditions in the prison, including instances of alleged torture.

RELIGIOUS FREEDOM CONDITIONS 2018

Trials and Imprisonment of Muslims

Security and terrorism concerns in Tajikistan are real. The government estimates that more than 1,000 Tajikistani nationals have joined ISIS in recent years. However, the government exploits these fears to persecute political dissidents, critics, and nonsanctioned religious groups. In 2017 alone, Sogd Province courts examined terrorism and extremism cases involving 257 citizens.

In 2018, as in previous years, the bulk of the Tajikistani government's judicial persecution appeared to target adherents—both real and suspected—of Salafism. The term technically refers to a complex array of fundamentalist beliefs and practices that developed, primarily on the Arabian Peninsula and Egypt, between the 18th and 20th centuries. In Tajikistan, the term is broadly applied to practices and doctrines deemed to be 'foreign,' or outside the Hanafi school of Islam. Since 2009, 'Salafism' has been banned as an "extremist movement," and as such the mere performance of Muslim rituals in a manner inconsistent with the Hanafi school is tantamount to

criminal activity, whether the individual identifies as Salafi or not. To be charged with 'Salafism,' all that is necessary is the practice of Islam outside of places and times designated by the state. No advocacy of, preparation for, or commission of violence is necessary for Salafists to be sentenced to multiyear prison terms. In 2018, at least a dozen people were imprisoned for Salafism. The Tajikistani government arranged for the detention of Parviz Tursunov in Belarus for alleged extremism and Salafism; the former professional soccer player refused to shave his beard in 2011 and then fled the country. However, Belarus declined to extradite Tursunov. Men who have spent time abroad, especially in the Gulf States, are especially prone to suspicion. In December 2018, 36-year-old Mukhtadi Abdulkodyrov, the nephew of the current head of the Council of Ulema, the semiofficial board in charge of sermons and doctrine, was arrested upon returning to Tajikistan after working for four years in Saudi Arabia, despite writing a letter seeking "repentance" at the request of National Security Committee officials who reportedly offered him amnesty.

The government is particularly suspicious of prayer leaders with training abroad, even those who have long since returned to Tajikistan with no record of violence or encouragement of extremism. For example, in April 2018, Abdullo Saidulloev, the imam-khatib—prayer leader and sermon-giver—at Khujand's Sari Sangi mosque, was sentenced to six years in a hard labor colony for propagation of Salafism as well as praying "in a Salafi manner." A raid of his home revealed allegedly "extremist literature" and two of his brothers were also sought for Salafi membership. Saidulloev had trained at the Al-Masjid an-Nabawi mosque in Medina, Saudi Arabia, from 2004 to 2006 before returning to Khujand. In March 2018, six other imam-khatibs in Sogd Province were also detained, each of whom had also trained in Medina and in the 1990s had allegedly joined the Muslim Brotherhood.

Since 2014, the Tajikistani government has provided amnesties to ISIS fighters and others suspected of extremism who voluntarily return to the country and repent. In July 2018, it offered similar terms to opposition politicians, such as three members of Group 24—a banned secular opposition party—though it is not clear whether the government followed through on its promised amnesty upon arrival. This process creates a warped set of incentives whereby a former murderer

may return to Tajikistan without punishment, whereas application of the extremism law can result in jail time for internet speech that may only suggest an interest in joining extremist groups.

Persecution of the IRPT

Since the IRPT was banned in 2015, more than 150 actual or suspected members have been arrested and at least 1,000 are reported to have fled the country. The Tajikistani government presses for their extradition, particularly through INTERPOL “red notices” (an alert that an individual is the subject of an arrest warrant in a member country), and IRPT defense attorneys have been given lengthy prison terms. IRPT chair Muhiddin Kabiri—who was granted political asylum in an unidentified Western European country—has asserted that the extremism charges against his party are false and politically motivated. In Warsaw in September 2018, Kabiri was elected head of a new political coalition, the National Alliance of Tajikistan—comprised of four exiled opposition parties, including the IRPT—and asserted his commitment to Tajikistan becoming a secular, democratic state. In October 2018, Kabiri was sentenced in absentia to an additional, unknown prison term. Kabiri’s family in Tajikistan continued to be the targets of petty and cruel punishment from authorities. In February 2018, Kabiri’s four-year-old grandson was diagnosed with cancer but was banned from foreign travel for medical treatment. As his condition worsened, it was only after online petitions, the advocacy of journalists and human rights organizations, and the appeals of foreign doctors that the Tajikistani government permitted him to travel to Turkey in August for emergency surgery.

In 2018, IRPT former leaders and the rank-and-file membership continued to be subject to arrest and persecution. In February 2018, businessman and former IRPT senior member Namunjon Sharipov reportedly was “forcibly and extra-judicially” returned from Istanbul to Dushanbe, where he faced “real risk” of torture. Tajikistani consular authorities had visited Sharipov at the teahouse

he ran in Istanbul and urged him to return home voluntarily, promising safety and financial rewards. Eventually, Turkish police detained Sharipov upon request of the Tajikistani government, whose consular officials seized him from a detention center and forced him on a flight to Dushanbe, where he is reportedly detained.

Tajikistani citizens risk arrest even by talking publicly about the IRPT. In April 2018, four men in their 30s in the northern city of Istaravshan were sentenced to six years in prison for allegedly discussing the IRPT and supporting its ideas while socializing at a teahouse. In May, a Tajikistani man was sentenced to nine and a half years in prison for watching, liking, and sharing videos of the IRPT online.

In July 2018, four foreign bicyclists were killed by a group of young men with ISIS sympathies in one of the most significant domestic terrorist acts in Tajikistan’s history. Even though ISIS took credit for the murders, the Tajikistani government assigned blame on the IRPT.

Restrictions on Muslims

The government of Tajikistan seeks to meticulously control Muslim religious practice, regulating even small details of who may express religious belief, at what age, when, where, and how. The 2011 religion law restricts Muslim prayer to

four locations: mosques, homes, cemeteries, and shrines. The official State Committee on Religious Affairs (SCRA) controls the selection and retention of imams and the content of their sermons.

The government pays the salaries of imams of

cathedral mosques, which are the only mosques where the state allows sermons (prepared by the semiofficial Council of Ulema). The law requires that the call to prayer only be audible within the confines of a mosque, many of which contain cameras installed and monitored by the state.

In 2018, the government continued its repressive campaigns against dress, grooming, and public celebrations with allegedly foreign roots. Many of these policies were solidified in a July 2017 speech by President Rahmon and a series of subsequent amendments the government passed to the law on Regulating Traditions, Celebrations,

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and Ceremonies, regulating the observance of a wide variety of rituals related to marriage, burial, and childbirth, as well as Islamic dress. Many prohibitions govern the banquets or communal meals traditionally offered to friends, family, and neighbors at life events such as weddings or Tajik-specific milestones like circumcision or the placing of a newborn in its cradle for the first time. The prohibitions altogether ban their celebration or limit the number of guests, amount of food served, animal slaughter, and length of dining tables, as well as other services like professional waiters or masters of ceremony.

The Tajikistani government is concerned with controlling every aspect of religious life, not just those with plausible links to violent extremism. In Tajikistan, as in several other post-Soviet countries, all religious practice is seen as a potential

security threat that the state monitors and regulates accordingly. According to one human rights activist, “Mosques have stopped being a social institution, and have become some kind of state agency. Imams are known to share all information on mosque community members with state agencies.”

Returnees from the pilgrimage to Mecca—limited to persons over the age of 40—are now forbidden from engaging in communal celebration of their accomplishment. Amendments to the Traditions Law also provided some legal basis for campaigns of harassment against women wearing hijabs and obliging all citizens to wear “national dress.”

State regulations of public piety continued in 2018. Forum 18 reported that hijab-wearing women were refused employment and medical care. Also, universities enforced the beard and hijab ban, and police in Dushanbe enforced the bans with regular visits to schools. In September 2018, police set up a roadblock on the outskirts of Dushanbe, stopping cars and forcing men to shave and women to remove their hijabs. News reports also found that young bearded men were frequently denied passports until they agreed to shave.

Although state campaigns to limit personal piety have been pervasive, their legality is opaque and

enforcement uneven. The hijab and beard bans are mostly enforced in Tajikistan’s major cities, yet, as late as October 2018, the Interior Ministry press secretary reportedly confirmed that there was no formal law banning hijabs and beards. Because the article in the Traditions Law on national dress does not provide a specific penalty for noncompliance, the General Prosecutor’s Office was compelled to publicly state that fines were, in fact, unlawful. Meanwhile, enforcement of other aspects of the Traditions Law, such as those governing ceremonies and celebrations, has been erratic

and its logic unclear. For example, in October 2018, a young woman was fined approximately \$530 for breaking the Traditions Law because she celebrated her 25th birthday at a restaurant in Khujand, one of Tajikistan’s oldest cities. Foreign observers speculate that

such laws instead serve as an avenue for local officials to extract fines and settle scores.

In addition, a state license is required for religious instruction, and both parents must give written permission for students to attend. The law also requires state permission for pursuing religious education abroad and only after completion of religious education in Tajikistan. Only central mosques may set up educational groups. Since a series of closures in 2016, no madrassas for teaching 16- to 18-year-olds are allowed to operate in Tajikistan. In January 2018, amendments to the 2009 law on Freedom of Conscience and Religious Unions set rigorous new requirements for reporting mosque income, property, staff, salaries, and worshippers’ personal data. Likewise, in 2018, imam-khatibs were again subject to being tested on their religious knowledge for reaccreditation as spiritual leaders. This process enabled the state to filter out unwanted clergy members, including 16 from Sogd Province.

The small Shi’a Muslim minority in Tajikistan is generally tolerated by the government, although subject to the same level of official scrutiny given to the Sunni majority. Nevertheless, there were some signs of tension in 2018. During the summer, a senior member of the Academy of Sciences of Tajikistan published an article

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alleging that the membership of IRPT had converted to Shi'a Islam, which he labeled an 'alien religion'. On July 2, the article, which also alleged intense IRPT interest in Iran and its Islamic revolution, was republished by the Tajikistani government news agency, Khovar.

Treatment of Non-Muslims

Although there were fewer arrests and less harassment of Christians in 2018 when compared to the previous year, it is not clear that this represented a policy shift. As is the case with several other Central Asian governments, the Tajikistani government is deeply suspicious of Christian minority groups, especially those engaged in proselytism. Jehovah's Witnesses—who were banned in 2007 for allegedly causing “discontent” and for conscientious objection to military service—continue to be subjected to harassment in schools and on the job, and also faced threats of imprisonment. On October 5, 2018, 18 Jehovah's Witnesses, including women and children, were detained by Tajikistani security services and interrogated for several hours. Similar episodes, involving 18 Jehovah's Witnesses, were reported during January and February 2019, after the reporting period. One woman was reportedly questioned for 14 hours before suffering a stroke that left her unable to speak or walk. In December 2018, police opened a criminal case against Jehovah's Witness Muhibahon Isanova for complaining about a teacher's bullying of her eight-year-old son. While persecution is usually confined to raids, fines, and temporary detention, Christians have also been handed down lengthy prison terms. In July 2017, Bakhrom Kholmatov, Protestant pastor of the Sunmin Sunbogym church in Khujand, was sentenced to three years in prison on charges of extremism for leading worship services, “singing extremist songs,” and “inciting religious hatred.” According to his family, Kholmatov was denied family visitation rights for more than four months and was denied the right to receive his mail. In December 2018, Forum 18 reported that Kholmatov had decided against any further appeals in his case.

The estimated 1,000 followers of the Baha'i faith in Tajikistan are registered as a recognized faith community and able to conduct worship. Yet in 2018 some members reported rising hostilities among Tajikistani society at large, where there is an increasing tendency to equate Tajikistani nationality with Sunni Islam.

In December 2018, customs officers at Dushanbe Airport destroyed 5,000 Baptist calendars with New Testament verses on them. The calendars were confiscated after a “linguistics expert” from the Ministry of Culture determined them to contain the “propaganda” of an “alien faith.”

Imprisonment of Conscientious Objectors

Tajikistan provides no exemptions for conscientious objection. In April 2018, Daniil Islamov—a Jehovah's Witness—was released from prison after serving out a six-month sentence for refusing military service.

U.S. POLICY

Tajikistan is strategically important to the United States because of its long border with Afghanistan and that country's large Tajik minority. Since 2010, the United States has expanded cooperation with Central Asian states, including Tajikistan, to ship cargo overland via the Northern Distribution Network as U.S. and North Atlantic Treaty Organization (NATO) troops in Afghanistan continue to withdraw. Tajikistan has given U.S. Special Operations Forces permission to enter the country on a case-by-case basis during counterterrorism operations, while the United States has provided counterterrorism training to Tajikistan's border guards and Special Forces.

In July 2018, a U.S. delegation [attended the C5+1 Ministerial](#) in Almaty and Tashkent, which brought together the foreign ministries of the five Central Asian states and the United States for discussions on various multilateral issues, including respect for basic freedoms. Then Acting Deputy Assistant Secretary of State for Central Asia Henry Ensher led the Security Working Group in Tashkent. Since 2010, the United States and Tajikistan have discussed bilateral policy and economic assistance in an Annual Bilateral Consultation (ABC). After a hiatus in 2017, the ABC resumed in Dushanbe in October 2018, with a U.S. delegation led by Emilia A. Puma, acting deputy assistant secretary for Central Asia and press and public diplomacy, who raised U.S. concerns about human rights and media freedom in Tajikistan.

In November 2018, the State Department redesignated Tajikistan as a CPC. However, in light of Tajikistan's ongoing security cooperation with the United States, the State Department granted a waiver on taking any action as a consequence of the CPC designation, in consideration of U.S. “national interest.”