



14 September 2017

Business meeting 6. Fundamental freedoms II, including:
– freedom of thought, conscience, religion and belief.

In Tajikistan, although it is constitutionally guaranteed to citizens the right to practice religion or do not practice any and to participate in religious customs and ceremonies, in light of the number of unconstitutional laws introduced last years, right for the freedom of thought, speech, conscience, religion and belief is strongly compromised or violated at all.

Nowadays in Tajikistan has arisen the situation where any opinion or data about religion in mass-media is leading to insecurity and authorities resort to unreasonably charge people in extremism. In May 2016 according to changes introduced into the Constitution activity of political parties of religious nature was forbidden. Any non-governmental organization in case of implementing projects of religious plan will have to deal with security services.

Early in 2009 in Tajikistan it was introduced a Law on freedom of thought, conscious, religion and belief that very distinctly regulates the religious rights of citizens. Supervision of the execution of the Law as well as obligation to impose fines and bring to responsibility in case of its violation is charged to local authority – Committee on religious affairs of the Republic of Tajikistan.

The Committee regulates and forms the content of khutba and Fridays ceremonies in mosques. In fact, the government implements its own policy in mosques.

Thus, according to the Law Muslim prayers are only possible to be performed in four places: mosques, cemeteries, homes and holy places. The Law regulates registration, size and location of mosques, limiting the number of mosques that can be registered within certain territory. The authorities continue to close prayers rooms and mosques around the country due to so-called excess of permissible quantity of mosques for a district. For example, in Dushanbe mosques for holding Fridays ceremonies are permitted in districts with 30 000 to 50 000 population, while mosques for five-times prayers are permitted in districts with 1000 to 5000 population. The Law allows one “central Friday mosque” in the region or in the city and others are subordinated to it.

Citizens under 18 do not have right to go to the mosques for performing their religious duties. Also it is forbidden to go outside the country to obtain theological education and to create relationship with religious organizations without special permission of the Committee on religious affairs. Under the pretense of fighting against terrorism and extremism authorities continue to arrest and imprison hundreds of imams and ordinary citizens on suspicion in extremism without pursuing adequate investigation and without possessing of incontrovertible evidences.

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Registered and non-registered religious organizations continue to be exposed to police raids, surveillance through cameras, established in mosques and forced closure of “suspicious” mosques. State authorities also oppress other religious communities. Jehovah’s Witnesses and the only Jewish synagogue remain unregistered. Representatives of Jehovah’s Witnesses, several Baptist communities and Russian Orthodox Church informed that importing religious literature is extremely difficult; all the literature is being detained on customs house and confiscated charging fines for “possession of unconfirmed religious literature”.

There were number of messages regarding persecution of women wearing hijab and men with beards, authorities continue the practice periodical raids and closure of shops selling “non-traditional” Tajik clothes – hijabs. Governmental officials made a statement obstructing women to wear so-called “non-traditional” clothes.

Moreover, according to the Law on improvement of traditions and bringing-up children, citizens of Tajikistan do not have right to organize weddings following the religious rules. The number of guests and presents on wedding parties is controlled by the government. In case of invitation to the wedding of women who are wearing hijabs, the inviting party will be called to account for this. Women and girls in hijabs and satrs are prohibited even to enter the building of Wedding Office of Dushanbe – such a warning has appeared in the invitation note for the wedding ceremony that is distributed by Wedding Offices to young couples.

In the amendments to the Law on improvement of traditions that came into force as of 30 August 2017 it is noted that “individuals and legal entities are obliged to protect the elements of national culture including state language and national clothes”.

Such statements prohibiting women in hijabs to enter the building of state organizations have been already posted in kindergarten and schools, in hospitals.

It has been noted cases, one of them happened in August 2017 when a woman from Kariyabolo of Dushanbe could not obtain medical assistance as employee of medical center requested her to remove hijab before entering the building while her religion does not allow her to do this way.

On 16 May 2016 Rakhmatova Firuza, 1983 date of birth, was in horribly way in public abused, insulted and forced to remove her hijab by three of policemen before the building of city department of Kurgan tyube of Khatlon region.

Due to such laws Muslim women became victims of a very difficult situation: from one side it is religion, from the other side – authorities and laws prohibiting them to appear in public places in religious clothes. This situation creates for Muslim women the strongest pressure provoke scandals in families to the level of break-up of the families, directly violate the rights of women for freedom of belief and creates unsustainable conditions for women to follow their religious beliefs.

Children rights are also prejudiced. This year by decision of the minister of education children were not allowed to celebrate the first day of Muslim holiday Kurban-bayram by announcing 1 September 2017 as teaching day. On this occasion it was created a special commissions aiming to monitor whether children went to school on Kurban-bayram day or not.

Besides all of this, young people before 18 are prohibited to visit not only mosques, but also disco, bars, cafes, cinemas, theatres, night clubs and any game clubs, go out after 18 pm without accompany of their parents. Only during 2016 for the account of penalties on parents for noncompliance of the Law on children bringing-up, the government earned more than 300 thousand USD. In fact there is no childhood for youth, everything is taken away. Everything is politicized.

In such insufferable circumstances, created by the government for young people, they have nothing other than join radical groups and become terrorists and extremists. Absolute restrictions on freedom always end-up with reverse effect. Young people have a vacuum in their heads and trying to fill this emptiness they start following different ideologies. Intellect is to be developing, in modern technology world young people, being all the time under constant prohibition of everything, are looking for other ways and often such ways lead to crimes and joining terroristic organizations.

Laws and resolutions being adopted by the government should serve for the interest of people, not visa versa. As a historical experience and practice of different states shows totalitarian restriction of freedom gives always negative reaction of people and reverse result. People being under constant psychological pressure and all possible restrictions, have no opportunity for self-development, becoming a subject to wrong ideologies.

For the avoidance of destructive results on behalf of Human Rights Vision Foundation we appeal to the government of Tajikistan to stop creating restrictions of people's fundamental rights and freedoms both on legislative and on practical levels and start fulfilling own commitments according to ratified international acts in relation to rights and freedoms of the citizens of Tajikistan. Overturn bylaws that contradict the Constitution of Tajikistan and international acts. To create democratic conditions for development of young people so they learn to distinguish right and wrong in the terms of free choice.

We appeal to all international organizations on human rights protection, OSCE, Committee of United Nations on human rights to pay close attention and to enhance monitoring on fulfillment by Tajikistan of their obligations according to International Covenant on civil and political rights.

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