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**STATEMENT BY MR. ABDURAHIM KHALIQOV,
HEAD OF THE COMMITTEE OF THE GOVERNMENT OF THE
REPUBLIC OF TAJIKISTAN ON RELIGIOUS AFFAIRS, AT THE
2010 OSCE REVIEW CONFERENCE**

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Working session 2: Fundamental freedoms I, including: freedom of thought, conscience, religion or belief; presentation of activities of the ODIHR and other OSCE institutions and field operations to implement priorities and tasks contained in the OSCE decisions and other documents

Freedom of thought, conscience, religion and convictions in Tajikistan

Mr. Chairperson,
Ladies and gentlemen,

The policy of the Republic of Tajikistan with regard to laws, geared as it is towards the building of a State based on the rule of law, is primarily concerned with the observance of human rights and freedoms as set out in the Constitution. One of the basic postulates in this area is unquestionably the right to freedom of thought, conscience, religion and convictions.

The regulatory framework for the protection of the right to these freedoms in Tajikistan is comprehensively provided by national and international legal sources. This framework rests on Article 18 of the International Covenant on Civil and Political Rights, on Articles 10 and 26 of the Constitution of the Republic of Tajikistan, and on the Tajik Law on Freedom of Conscience and Religious Associations.

The State pursues its policy in the area of freedom of conscience and freedom of religion in strict accordance with the constitutional principles for the development of public life on the basis of political and ideological pluralism and in accordance with reasonable principles for interaction between the State and religious associations, including the principle of the separation of religion and the State, and non-interference by the State in the activities of religious associations.

Tajikistan is, not only in Central Asia but throughout the world, the only secular State in which a political party with a religious orientation operates freely and legally. The wide range of freedoms with respect to religious rights in what is a democratic, secular and young State based on the rule of law and confronted by very real economic problems naturally results in any number of political and legal disputes and discussions of a general nature.

Tajikistan, which finds itself at the geopolitical and legal crossroads of three civilizations with their roots in law (Islamic, Romano-German and Communist) and of two political systems (secular and Islamic), is not only preserving its own unique identity but is also serving as a bridge linking the values of Eastern and Western traditions of governance and law, and is thus playing an important role in maintaining peace and protecting human rights and freedoms throughout the entire region. At these borders where cultures and values intersect, where rights and freedoms frequently lose their universal qualities and at times contradict one another, to stand up in defence of freedom of thought, conscience, religion and convictions is not only a difficult task from the point of view of the legal mechanisms involved but also an intricate and delicate one. This needs to be recognized and appreciated in a fitting manner.

Since it gained independence, Tajikistan has achieved significant results in ensuring freedom of religion for its citizens. Whereas between 1943 and 1988 there were only 34 religious associations in Tajikistan, including 17 mosques, 15 churches and Christian places of worship and 2 synagogues, there are currently more than 4,000 religious associations operating in the country, including 34 central cathedral mosques, 326 cathedral mosques, 3,350 mosques for the daily five prayers, 1 Jamoat Islamic religious community and 74 non-Islamic religious associations. And this is not all: the registration of religious associations is continuing to this day.

In 1990, just 27 boys from Tajikistan received schooling at the Tashkent Islamic Institute and the Miri Arab Madrasah in Bukhara. Today, no less than 1,087 students are being taught at the Imam Azam Abu Hanifa Islamic Institute alone.

Whereas during the more than 72 years of Soviet rule no more than 30 citizens of our country made the pilgrimage to the holy city of Mecca, during the 19 years of independence over 100,000 of our citizens have had the opportunity to exercise this religious right.

The body authorized to deal with religious affairs in Tajikistan is co-operating closely with the OSCE and other international institutions and is doing all it can to ensure freedom of thought, conscience and religion. At the same time, however, it believes it would be useful and most beneficial if the following points were taken into account in the future:

1. As regards the exercise of the right to freedom of thought, conscience, religion and convictions, the OSCE and other international organizations must take into account the actual situation as regards society, the economy, the social stratification of the population and the existence of followers of various religions in a participating State. Depending on its capabilities, the participating State bears the responsibility for implementing these and other human rights and freedoms.
2. In the event that a participating State sets limits on freedom of conscience and takes measures to prevent arbitrary actions and proselytizing by some movements vis-à-vis others, there should be an objective assessment of the situation by international institutions, since these legal limitations attest to a specific philosophy with regard to freedom of conscience.
3. It would be useful to clarify the position of international institutions should individual groups or persons attempt to exploit the religious sensitivities of the people. For example, the burning of one religion's holy book has an impact on the situation as regards freedom of

thought, conscience, religion and convictions in a participating State where pluralism exists as regards thought and faith.

4. Where comments or recommendations on any aspect of law are made by an international institution, the observance of the principle of sovereignty corresponds to the principle of freedom of thought for the entire nation.