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TAJIKISTAN: The UN declared illegal the ban of Jehovah's Witnesses

Will Shamil Kakhimov be released after the UN declared illegal the ban of Jehovah's Witnesses ?

HRWF (23.09.2022) – On 7 September 2022, the United Nations Human Rights Committee (CCPR) issued a significant decision against Tajikistan considering that its 11 October 2007 ban on Jehovah's Witnesses is illegal.

Tajikistan had given three reasons for its ruling that Jehovah's Witnesses are allegedly extremist and had be banned:

(1) advocating for the establishment of alternative civilian service in lieu of compulsory military service;

(2) distributing fanatical and extremist religious materials, which negatively affected psyche of young people;

(3) conducting activities that could potentially lead to sectarian conflicts.

In addition, the Military Collegium of the Supreme Court emphasized that the publications distributed by the organization of Jehovah's Witnesses contained extremist and radical religious views, such as that "national pride and obedience to political organizations are a lie of Satan" and that people should not accept blood transfusions.

The CCPR stated that none of the reasons given by Tajikistan can justify the ban of Jehovah's Witnesses (para. 9.7).

The CCPR made the same conclusion about Tajikistan's subsequent refusal to re-register Jehovah's Witnesses, which occurred in 2011 (para. 9.6).

And the CCPR concluded that it is undisputed that the activity of Jehovah's Witnesses is entirely peaceful and that there was no evidence whatsoever that their activity resulted in "numerous complaints" as the government alleged.

In any case, the CCPR concluded that Tajikistan has now “to send to the Committee, within 180 days, information about the measures taken to give effect to the Committee’s Views.” In addition, “Tajikistan is also requested to publish the Views of the Committee and to have them widely disseminated in the official languages of the country.”

The persecution and the sentencing of Shamil Khakimov to prison

Due to the ban on the movement of Jehovah’s Witnesses, their members have been subjected to numerous arrests, detentions, searches, beatings, as well as a deportation.

On 4 June 2009, sixteen Jehovah’s Witnesses had a peaceful gathering in a private apartment in Khujand to read and discuss the Bible. Eleven officials, including officers of the State Committee on National Security, forced their way into the apartment, searched it and the participants of the gathering and seized their Bibles, as well as other religious publications. Several participants were subsequently brought to the headquarters of the State Committee on National Security, where they were interrogated for six hours. On an unspecified date, a criminal case was initiated against the participants of that gathering. It was dismissed in October 2009 after the OSCE Human Dimension Implementation Meeting. However, the prosecutor reopened the criminal case on other charges, which has remained pending until now.

A similar incident occurred on 22 July 2011, when eight Jehovah’s Witnesses gathered in a private apartment in

Dushanbe to read and discuss the Bible. After a police raid of the apartment, two participants were brought to the police station and interrogated for more than 20 hours by several police officers and officers of the State Committee on National Security.

In September 2019, a court in the northern city of Khujand jailed **Shamil Khakimov** (link to his case in HRWF Database of prisoners) for seven years and six months for allegedly “inciting religious hatred”, though the sentence was subsequently twice shortened. No evidence was produced that Jehovah’s Witness Khakimov or his community had harmed anyone, and his real “crime” seems to be that the regime thinks he led Khujand’s Jehovah’s Witness community. The 71-year old prisoner is in general poor health and gradually losing sight in his left eye but throughout his time in jail he has been denied proper medical treatment. Moreover, in September 2021 he was denied permission to attend the funeral of his only son.

Let us hope that Let us hope Shamil Khakimov will be released after the CCPR ruling.

Registration and ban of Jehovah’s Witnesses

The Jehovah’s Witnesses have been active in Tajikistan for more than 50 years. On an unspecified date in 1994, their organization (RAJW) was granted registration by the former State Committee on Religious Affairs pursuant to the Law “On Religion and Religious Organizations” of 8 December 1990 (the “1990 Religion Law”). On 15 January 1997, the RAJW was re-

registered with national status under the amendments to the 1990 Religion Law. On 11 September 2002, the State Committee on Religious Affairs suspended the activities of the RAJW for three months for door-to-door propaganda and propaganda in public places.

On 11 October 2007, the Ministry of Culture banned the RAJW and annulled its charter and determined that the RAJW's registration of 15 January 1997 was unlawful. It concluded that the RAJW repeatedly violated the national legislation, including the Constitution of Tajikistan and the 1990 Religion Law, by distributing religious publications in public places and door-to-door, which caused discontent on the part of the population.

Photo : Shamil Khakimov, Jehovah's Witness

Further reading about FORB in Tajikistan on HRWF website

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