

Religious freedom in Tajikistan: Jehovah's Witnesses attempt to have a constructive dialogue with the authorities

HRWF (26.09.2016) – During the first week of the OSCE/ODIHR Human Dimension Implementation Meeting in Warsaw, the European Association of Jehovah's Christian Witnesses (EAJCW) pursued its constructive dialogue with the Tajik authorities in order to try to restore their registration cancelled in 2007 and to provide the local Jehovah's Witnesses with a legal framework for the full exercise of their freedom of religion or belief.

Statement of the EAJCW on 21 September

"Jehovah's Witnesses have been without legal registration since 2007. As a result, the Tajikistan government views the Witnesses' religious activity as illegal. All levels of the judicial system have dismissed reregistration attempts. Without legal status, authorities deny Jehovah's Witnesses the right to conduct religious meetings and assemblies, to own or use property for religious purposes, to produce and import religious literature, to receive donations, to carry out charitable activity, and to invite foreign citizens to participate in religious events.

The UN Human Rights Committee (CCPR) recommended in its Concluding Observations on the second periodic report of Tajikistan (22 August 2013) that Jehovah's Witnesses be granted re-registration (CCPR/C/TJK/CO/2, paragraph 20), stating that "the State party should reverse its discriminatory refusal to register certain religious denominations."

Abuses and restrictions of religious freedom

Interference with religious services

(1) Khujand. On 3 May 2016, Jehovah's Witnesses were holding a religious meeting with 86 people in attendance, including children. At the conclusion of the meeting, National Security Committee officers, local police, and representatives of the Committee of Religious Affairs (CRA) raided the meeting and made a video recording of all in attendance. The officers were aggressive and rude, and some of those in attendance were assaulted. One of the female Witnesses was severely beaten. She documented all of her bruises and filed a complaint against the actions of the police, but she did not receive an official response. After two hours of questioning and a search of their belongings, attendees were allowed to leave.

On 18 May 2016, two of the victims were found guilty under Article 474-1, par. 3, of the Administrative Code of the Republic of Tajikistan (illegal production of religious literature) and were each fined TJS 280 (approximately EUR 31). An appeal was filed and is pending.

(2) Tursun-Zade (Regar). On 6 March 2016, police officers raided a religious meeting of Jehovah's Witnesses held in a private home. They arrested all 30 individuals in attendance and detained them for six hours. During the interrogation, the officers beat, threatened, and assaulted many of the attendees, including minor children. Some of the male Witnesses were tortured with Tasers. When one of the victims lost consciousness, the police called the Emergency Medical Service (EMS). The EMS administered treatment, but the police paid them TJS 150 (approximately EUR 16) and asked them not to record any of the injuries. The police purposefully inflicted blows so as to leave minimum visual indicators. Those who were beaten sought medical attention and took photographs of their injuries. A complaint was filed with the Ministry of Internal Affairs (MIA), the General Prosecutor's Office, and the Ombudsman. The MIA started an investigation of the

incident. Subsequently, the police officers apologized to the victims, and the complaint was withdrawn. Nevertheless, administrative cases were commenced against two Witnesses, and the cases are still pending.

Restrictions resulting from religious beliefs

Tursun-Zade (Regar). On 5 January 2016, one of Jehovah's Witnesses wished to bury her deceased husband according to her religious beliefs as one of Jehovah's Witnesses. Relatives knew that the family are Jehovah's Witnesses but nevertheless demanded that the deceased be buried in the Muslim cemetery. The Witness asked them not to intervene, but the family filed a complaint with the head of the Housing Services Department (HSD). The funeral was recorded by HSD representatives.

On 13 March 2016, a Witness who assisted at the funeral was summoned to the State Committee of National Security (KGB). During his interrogation, Jehovah's Witnesses were accused of instigating religious strife. The KGB representatives threatened him and later tried to search his apartment without a warrant. They threatened the Witness with criminal charges, but the case was later closed.

Legal recognition withheld

On 11 October 2007, the Ministry of Culture deregistered Jehovah's Witnesses. As a result, the government of Tajikistan views all religious activity of Jehovah's Witnesses as illegal. Jehovah's Witnesses have filed for registration numerous times since October 2007. The CRA has denied each application on technicalities, most recently in October 2014. In 2012 the Witnesses submitted a complaint to the CCPR on the deregistration issue and expect a decision in the near future. At the 2015 OSCE HDIM Conference, the Tajikistan delegation stated publicly that Jehovah's Witnesses had not fully exhausted domestic remedies to appeal the deregistration decision.

On 25 February 2016, in response to the direction given by the Tajik authorities, the Witnesses filed an appeal of the deregistration decision with the Chairman of the Supreme Court.

On 8 April 2016, the Supreme Court informed the Witnesses that the Chairman of the Supreme Court had rejected the appeal.

Meetings with officials

On 5 July 2016, representatives of Jehovah's Witnesses met with the Tajikistan Presidential Administration (PA). The PA was represented by Mr Sharaf Karimzoda, who is the acting head of the Human Rights Guarantees Department, and Mr Zafar Safalizoda, who specializes in the International Covenant on Civil and Political Rights. The Witnesses discussed their attempts to register and the CRA's denial of their registration on technical grounds. The PA representatives assured them that they would discuss these matters with their superiors, with the new head of the CRA, and with Mr Valizoda, the head of the PA's Religious Issues Department. The representatives of Jehovah's Witnesses have not yet received a response.

Religious freedom objectives

Jehovah's Witnesses respectfully request the government of Tajikistan to:

- (1) Allow Jehovah's Witnesses to register their local religious organisation
- (2) Allow Jehovah's Witnesses legally to import and use their religious literature

(3) Allow Jehovah's Witnesses peacefully to practice their religious beliefs and to share them with their neighbours Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Tajikistan government.

For more information: Please contact the Office of General Counsel of Jehovah's Witnesses at generalcounsel@jw.org"

The full statement was uploaded by the OSCE on its website: <http://bit.ly/2d2EqJk>