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Jailed, awaiting trial on "incitement" charges

By Mushfig Bayram

Forum 18 (20.03.2019) - http://www.forum18.org/archive.php?article_id=2463 - On 28 February, two days after his arrest, a court in the northern city of Khujand ordered that 68-year old Jehovah's Witness Shamil Khakimov be held in pre-trial detention for up to two months. Prosecutors are preparing a criminal case against him on charges of "inciting religious hatred", charges he rejects. Khakimov, who suffers from high blood pressure and recently underwent a leg operation, faces between five and ten years' imprisonment if eventually tried and convicted.

Khakimov is currently held at Khujand's Investigation Prison.

Judge Abruniso Mirasilzoda, who acceded to the Prosecutor's Office request to put Khakimov in pre-trial detention despite his medical condition, refused to explain her decision to Forum 18 (see below).

A panel of three judges at Sogd Regional Court upheld Khakimov's pre-trial detention on 12 March. None of the judges were prepared to discuss with Forum 18 why they approved the detention of the 68-year-old, given his serious state of health (see below).

Forum 18 was unable to reach Nosirkhuja Dodokhonzoda, Investigator of serious crimes at Sogd Regional Prosecutor's Office, who is leading the criminal case against Khakimov (see below).

Police opened the case against Khakimov after widespread raids in January and February on homes and police interrogations of Jehovah's Witnesses across the northern Sogd Region. Some of the interrogations involved torture.

Organised Crime Police seized Khakimov's Bible and other religious literature during a raid on his home after they interrogated him (see below).

After the raids and interrogations, so far none of the Jehovah's Witnesses were given any punishments or faced any charges except for Khakimov. "The authorities probably want to punish a Jehovah's Witness more seriously in order for this to be a show case, a lesson for the rest of the Jehovah's Witnesses," Jehovah's Witnesses told Forum 18 on 19 March. "This may be why Khakimov was singled out."

Jehovah's Witnesses in Khujand are still being regularly summoned and questioned by the Organised Crime Police, Jehovah's Witnesses complained to Forum 18. The Police summon individuals for interrogation "without written notifications".

Organised Crime Police prepare Khakimov's arrest

Trouble began for Jehovah's Witness Shamil Rasulovich Khakimov (born 30 August 1950), a retired widower, after police stopped two Jehovah's Witnesses on the street in Khujand in early January for sharing their beliefs with a passer-by.

"The Police seized the phones of the two women and called the numbers in the phone, and this is how they found Khakimov," Jehovah's Witnesses told Forum 18. "The authorities allege that he is the leader of Jehovah's Witnesses in Khujand."

On the evening of 28 January, Khakimov received a call from an unknown person. "The caller requested him to leave his flat and come out onto the street. It was dark so he hesitated, but the calls kept coming," Jehovah's Witnesses said. "When he decided to come outside, there was no one on the street."

Later the caller identified himself as Nekruz Ibrokhimzoda from the Organised Crime Police of Sogd Region.

The next day, 29 January, Organised Crime Police officers summoned some of Khakimov's friends (who are not Jehovah's Witnesses) and fellow believers, and questioned them about him.

At lunch time on 1 February, three days after this, the Organised Crime Police's Khujand office summoned Khakimov, where officers searched him on arrival. Lieutenant Colonel Sukhrob Rustamzoda then interrogated him, including about his personal history, how he became a Jehovah's Witness, and the structure of the organisation.

"During the interrogation, officers refused to allow Khakimov to use the services of a defence lawyer," Jehovah's Witnesses complained.

Investigator Rustamzoda refused to comment on the case. "I cannot discuss it with you over the phone," he told Forum 18 on 19 March. "You need to talk to Sogd Regional Prosecutor's Office. They are investigating the case now." When Forum 18 insisted, asking why Police opened a case against Khakimov and why he was refused a defence lawyer to participate during his interrogation, Rustamzoda put the phone down.

Officers seize Khakimov's property

After the interrogation, the Organised Crime Police brought Khakimov to his flat in Khujand. Officers seized his tablet device, laptop computer, his Bible and several religious books and brochures, as well as his passport. Officers did not give him a copy of the seizure record, Jehovah's Witnesses said.

The Police "detained him overall for eight hours the same day," Jehovah's Witnesses complained to Forum 18. "He had not fully recovered after the thrombophlebitis surgery on his legs and his bandages needed to be changed."

Moreover, Khakimov "could not receive money transfers to continue his necessary medical treatment, since officers seized his passport".

Prosecutor's Office ignores complaints, opens case

On 3 February, Khakimov filed a complaint with the Regional Prosecutor's Office against the actions of the Organised Crime Police officers. "No answer has been received to this day," Jehovah's Witnesses complained to Forum 18.

"Instead at around 9 am on 7 February, four days after his complaint, the Organised Crime Police officers once again arrived at Khakimov's home. They threatened him to open the door," Jehovah's Witnesses told Forum 18. "As the Police officers refused to provide the official summons, he decided not to open the door."

During the same day, the Police "repeatedly called Khakimov demanding him to come to the police station."

Khakimov filed another complaint to the Regional Prosecutor's Office on 7 February against the actions of the Organised Crime Police. "At the Prosecutor's Office he was asked to write an additional statement on his faith and religious activity." The Prosecutor's Office, however, "refused to give him a note that he was asked to write a statement and that it had received his complaint."

The Prosecutor's Office has "not responded to this complaint to this day either".

Arrest, pre-trial detention

On 26 February, 19 days after his second complaint, Police arrested Khakimov and put him in custody "despite his advanced age and poor health".

The following day, on 27 February, the Organised Crime Police went to Khakimov's flat again. "Without showing identification documents - in the absence of Khakimov and the presence of his roommate - seized Khakimov's international passport without drawing up a record of it," Jehovah's Witnesses said.

On 28 February, at the request of the Sogd Regional Prosecutor's Office, Judge Abruniso Mirasilzoda of Khujand City Court ordered that Khakimov be held in pre-trial detention. He is being held in the Investigation Prison in Khujand.

Judge Mirasilzoda told Forum 18 from the court on 19 March that "his custody may last up to two months while the investigation proceeds, and if need be his arrest can be prolonged." She refused to explain why Khakimov needs to be held in custody. Asked why he cannot be at home while his case is being investigated, she told Forum 18: "I gave my decision, and it entered into force."

Asked why she did not take into account that Khakimov is an old man who recently underwent an operation on his leg, Judge Mirasilzoda replied: "His lawyer informed us about this orally, but did not present documents." Asked whether had Khakimov had the documents, she would not have ordered the pre-trial detention, she responded: "I do not want to discuss my decision further."

Jehovah's Witnesses say the court was fully aware of Khakimov's medical condition. "On 28 February our lawyer did not yet have the documents from the doctors on Khakimov's operation, so they told Judge Mirasilzoda that Khakimov can open the bandage on his leg and show the wound, as well as producing the documents later. But she went ahead with her decision."

Khakimov's address in Investigation Prison:

Ya/S 9/2 Investigation Prison, Khujand, Sogd Region, Tajikistan

Why pre-trial detention?

Jehovah's Witnesses appealed against the 28 February decision to place Khakimov in pre-trial detention. They presented in court documentation on his operation and health

condition. But on 12 March, a panel of three judges at Sogd Regional Court, Ismoil Rakhmatzoda, Maftuna Rakhmatillozoda and Khotamsho Sattorzoda, upheld Khakimov's pre-trial detention.

Asked on 20 March why the Court upheld the pre-trial detention of Khakimov, an ailing old man, Makhrambek Jumazoda, Secretary of Judge Rakhmatzoda, took down the question and Forum 18's name. Then, after consulting with an official in Judge Rakhmatzoda's office, claimed to Forum 18 that the Judge is "busy in a meeting". He then refused to talk further.

Judge Rakhmatillozoda on 20 March also refused to explain their decision. Asked why the Court did not take into account the official records of Khakimov's condition and upheld his pre-trial detention, she responded: "I just came into my office. Can you call back in 15 minutes?" Called back later, she told Forum 18 "I cannot talk to you," and put the phone down.

Judge Sattorzoda was adamant that the Court "correctly took the decision to put Khakimov in custody". Reminded that Khakimov presented to the Court the documents confirming his medical condition and that he is an old man, Sattorzoda repeated his previous response: "We took the decision correctly." He refused to explain the decision to Forum 18 and to answer further questions.

Inciting hatred?

Nosirkhuja Dodokhonzoda, Investigator of serious crimes at Sogd Regional Prosecutor's Office, is leading the case against Khakimov. On 7 March, one week after Khakimov's arrest, Dodokhonzoda officially informed him of the charges against him.

Dodokhonzoda is investigating Khakimov under Criminal Code Article 189, Part 2 ("Inciting national, racial, local or religious hatred or dissension, humiliation of national dignity, as well as propaganda of the superiority of citizens based on their religion, national, racial, or local origin, if committed in public or using the mass media" when performed repeatedly, by a group or by an individual using their official position). Punishment is imprisonment of between five and ten years, with the possibility also of a five-year ban on specified activity.

Prisoner of conscience Pastor Bakhrom Kholmatov, who led a Protestant Church in Khujand, was punished under Criminal Code Article 189, Part 1 for allegedly "singing extremist songs in church and so inciting 'religious hatred'". [Khujand City Court sentenced him to three years' imprisonment in July 2017.](#)

Asked why the Prosecutor's Office asked for Khakimov's pre-trial detention, and why it did not respond to Khakimov complaints on the Police illegal actions, the official (who did not give his name) who on 19 March answered the phone of Khobibullo Vokhidov, Prosecutor of Sogd Region, took down Forum 18's name and asked it to wait on the line. Moments later, he told Forum 18 that "Prosecutor Vokhidov is busy; call back in an hour or so."

Called back later, the Prosecutor's phone numbers were all switched to a fax machine.

Prosecutor's Office Investigator Dodokhonzoda did not answer his phones on 20 March.

Health concerns

Jehovah's Witnesses express concern over Khakimov's health. "He recently had an operation on the veins in his legs and suffers from high blood pressure," they told Forum

18 on 19 March. "At the moment he is still suffering from high blood pressure, and the doctors have told him not to stand for too long because of the operation."

Jehovah's Witnesses added that although Khakimov is "doing well", he still feels pain in his leg after the surgery. "Our lawyer talked to the prison doctor and he said that he will make sure that Shamil Khakimov would not have to stand up every time officers enter the cell for checking."

Earlier raids, interrogations

The Organised Crime Police Department of Sogd Region interrogated about 17 Jehovah's Witnesses for periods of up to 14 hours in January and February across the northern Sogd Region, including in Khujand and Konibodom. Police also confiscated mobile phones, personal computers or tablets, and internal passports from those they interrogated.

One female Jehovah's Witness was interrogated two days running for 14 hours. Because of the extreme stress imposed on her, she suffered a stroke, leaving her unable to walk or speak. She was then taken to hospital.

Jehovah's Witnesses lodged a formal complaint about the police actions and torture to Sogd Regional Prosecutor's Office. "But it has taken no action and given no response to this day," Jehovah's Witnesses complained to Forum 18.

"After the female Witness complained to President Emomali Rahmon, Sogd Regional Police informed her in writing on 6 March that it is investigating the complaint," Jehovah's Witnesses told Forum 18. "However, she has not been informed on the course or the results of the investigation to this day."

Asked on 20 March about the investigation of this case and Khakimov's case, officials at the General Prosecutor's Office reception (who did not give their names) referred Forum 18 to its international relations section's Makhmudzoda and Karimzoda (first names were not given). The officials' phones went unanswered the same day. Called back, the reception officials refused to put Forum 18 through to any other officials to discuss the cases.

Children barred from attending church

World Watch Monitor (25.02.2019) - <https://bit.ly/2FO47tV> - Tajik authorities implementing a new religion law are barring children from attending religious services and have burned thousands of calendars with Bible verses.

Amendments to Tajikistan's Religion Law came into force in January last year, giving the state greater control over religious education, and increase the amount of information religious organisations must pass on to the state.

The State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) now demands "all kinds of information on the number of members, finances and activities", a member of a religious community told Oslo-based news agency Forum 18 anonymously, fearing reprisals.

They also gather information about the number of children under the age of 10 attending religious meetings, using the Religion Law and the Parental Responsibility Law to put pressure on parents and religious communities.

In December, Mukhiddin Tukhtakhojaye, the SCRA official responsible for non-Muslim communities, made an unannounced visit to a religious community to obtain information. Forum 18 did not reveal the name of the community, to prevent reprisals.

"While Tukhtakhojaye was present, a few children under the age of 10 came in to the meeting to see their parents briefly," a human rights defender who wished to remain anonymous, told Forum 18.

"Tukhtakhojaye did not say anything during the meeting, but a few days later summoned the leaders of the religious community for questioning. He then forced them to write a statement explaining the reasons why the children were present in the meeting."

A few days later, the community was fined the equivalent to almost eight months' average wage for violating the Religion Law.

'Religious propaganda'

In the same month, 5,000 calendars with Bible verses, which were imported by the Baptist Church, were confiscated by custom officials and destroyed. The Church also received a fine of about four months' average wage for "producing, distributing, importing, or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship".

A customs official told Radio Free Europe that inspection had shown the calendars had "elements of propaganda of an alien faith", Forum 18 reported.

SCRA spokesperson Afshin Mukim told the radio broadcaster that "propaganda of a religion must be done only within the Baptist Church, and the calendars had religious propaganda in them", and said the number of calendars was greater than the number of Baptists in the country, according to the news agency.

Tajikistan is a Central Asian country with the highest percentage of Muslims, approximately 97%, but the former Soviet republic is determined to be secular and to keep Islam under control.

Target of persecution

Of the eight "Persecution Engines" the international religious-freedom watchdog Open Doors measures, 'Islamic oppression' and 'dictatorial paranoia' has made Tajik Christians a target of persecution.

Christian converts from a Muslim background are most vulnerable to persecution in Tajikistan, in particular from family, friends and the community, Open Doors says. Non-traditional Christian communities, like the Baptist Church, also suffer from raids, threats, arrests and fines by authorities.

The Central Asian country is 29th on the 2019 Open Doors World Watch List of the 50 countries where it is most difficult to live as a Christian.

HRWF Comment

See our [FORB and Blasphemy Prisoners Database](#): 23 FORB Prisoners (22 Muslims, 1 Protestant)

Raid, torture, interrogations, fines, calendars destroyed

Religious communities including Jehovah's Witnesses meeting for worship continue to be raided, with interrogations lasting between 20 minutes and 14 hours and in some cases involving torture. Other religious communities also face renewed questioning, especially on finances, and whether children under the age of 10 attend meetings.

By Mushfig Bayram

Forum 18 (22.02.2019) - <https://bit.ly/2HklqoS> - Police in Tajikistan continue to raid groups of Jehovah's Witnesses meeting together for worship, with interrogations being carried out for between 20 minutes and 14 hours. During the interrogations police have forced people to sign statements that they were not tortured, yet some detainees have been tortured. Contrary to the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Tajikistan has neither arrested officials suspected of torture, nor put them on criminal trial.

From January 2019, State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) officials have renewed demands to religious communities of all beliefs to give the SCRA "all kinds of information on the number of their members, finances and activities", a member of one religious community who wished to remain anonymous for fear of state reprisals told Forum 18. Officials have been particularly interested in community finances, as well as whether children under the age of 10 attend meetings (see below).

The demands follow January 2018 Religion Law changes, but officials act as if there are no legal controls on their actions. One religious community in early 2019 asked Mukhiddin Tukhtakhojaye, who is responsible within the SCRA for non-Muslim communities, for a formal written request for the information he wanted. He replied that he will not put anything in writing, claiming that "you need to obey my verbal commands". He also claimed: "My verbal commands are the law as I represent the law. If you don't obey my verbal commands you will be in trouble. We [the SCRA] will come and take any documents we want" (see below).

After Tukhtakhojaye visited a community to demand information and saw children under the age of 10 present with their parents, a fine equivalent to almost eight months' average wage was imposed (see below).

"Mosques have stopped being a social institution, and have become some kind of state agency," a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18. "Imams are known to share all information on mosque community members with state agencies" (see below).

In December 2018 customs officers at Dushanbe Airport confiscated 5,000 calendars with New Testament verses that Baptists were importing. The calendars were later destroyed and a fine equivalent to about four months average wage imposed. One Customs official told Radio Free Europe (RFE/RL) that "after linguistic experts in the Culture Ministry .. found elements of propaganda of an alien faith, the calendars were confiscated". Officials have refused to explain to Forum 18 why the state might regard some faiths as "alien", or whether followers of "alien" faiths have greater or less freedom of religion and belief

than followers of "non-alien" faiths. They have also refused to explain why the calendars were confiscated and destroyed instead of being returned to sender (see below).

Jehovah's Witness former prisoner of conscience Daniil Islamov, who was jailed for refusing to do military service, has filed a complaint to the UN Human Rights Committee (see below).

Raids, interrogations for up to 14 hours

Police have continued to raid groups of Jehovah's Witnesses meeting together for worship. The regime banned Jehovah's Witnesses in 2007.

Across the northern Sogd Region, including in Khujand and Konibodom, the police Organised Crime Department has been raiding homes of Jehovah's Witnesses throughout January and February. Police are known to have interrogated about 17 people for periods of between 20 minutes and 14 hours, Jehovah's Witnesses told Forum 18 on 15 February. Police also confiscated some mobile phones, personal computers or tablets, and internal passports from those they interrogated.

Asked on 21 February why police are raiding Jehovah's Witnesses meeting for worship in their homes, and why Tajikistan has banned the community, Abdurakhmon Mavlanov of the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) in the capital Dushanbe replied: "I am not competent to answer you on this question." He refused to put Forum 18 through to any official who could answer this.

Torture

During the interrogations, police in Sogd Region compelled those detained to complete a questionnaire about Jehovah's Witness beliefs, as well as to state in writing that they were not tortured by police during the interrogations.

Under the United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Tajikistan is obliged to arrest any person suspected on good grounds of having committed torture, and to try them under criminal law.

One female Jehovah's Witness was interrogated two days running for 14 hours. As a result of the extreme stress imposed on her she suffered a stroke, leaving her unable to walk or speak. She was then taken to hospital.

Jehovah's Witnesses lodged a formal complaint about the interrogation and torture to the Regional Public Prosecutor, but it has taken no action and has made no response.

The duty officer of Sogd Regional Police (who refused to give his name) told Forum 18 from Khujand on 21 February that freedom of religion and belief cases were dealt with by the Organised Crime Department. Khurshed Raupov, Deputy Head of the Organised Crime Department, told Forum 18 that "I understand you very well but cannot answer" when questioned about the raids and torture. He then put the phone down and did not answer subsequent phone calls.

Earlier police torture unpunished

In an earlier case of torture, on 21 January 2018 in Khujand a Jehovah's Witness was summoned to a police station where during a four-hour interrogation, police officer Husrav Usupov beat him until he suffered concussion. Police then released him and he went to a hospital for treatment. Police forced the hospital not to provide medical test

results, and forced a doctor to write a false statement denying the injuries. The victim's wife complained to the Prosecutor's Office about her husband's torture.

However, on 1 February 2018 the chief of Khujand Police and the head of the police Criminal Investigation Department summoned the victim and his wife for interrogation. Police ordered the couple to write a statement that they were Jehovah's Witnesses, so fearing for their safety they moved elsewhere, Jehovah's Witnesses told Forum 18.

Large scale secret police raid

In the capital Dushanbe on 5 October 2018, the National Security Service (NSS) secret police detained a group of 18 Jehovah's Witnesses, including some children, leaving a home after they met for worship. The NSS detained most of the men, women and children for questioning, apart from eight women. One of those detained was Russian, and the NSS threatened to deport him and suggest that Russia prosecute him for "extremism". (Jehovah's Witnesses are also banned in Russia.)

The 10 detainees were eventually released after many hours of questioning, and have been threatened with prosecution for their exercise of freedom of religion and belief.

Fined for parents bringing children to meeting

In December 2018, Mukhiddin Tukhtakhojayeov of the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) visited one religious community without any warning or invitation to demand information, a human rights defender who knows the community but is not part of it told Forum 18. Tukhtakhojayeov is responsible within the SCRA for non-Muslim communities.

"While Tukhtakhojayeov was present, a few children under the age of 10 came in to the meeting to see their parents briefly," the human rights defender who wishes to remain anonymous for fear of state reprisals stated. "Tukhtakhojayeov did not say anything during the meeting, but a few days later summoned the leaders of the religious community for questioning. He then forced them to write a statement explaining the reasons why the children were present in the meeting."

The community was then under Administrative Code Article 474 ("Violation of the Religion Law") fined 7,700 Somonis, which is equivalent to almost eight months' average wage. The religious community itself also does not want to be named for fear of state reprisals.

The regime through the Religion law and the Parental Responsibility Law imposes severe restrictions on freedom of religion and belief and related rights, such as the rights of the child and the freedoms of expression and association. This includes warning religious communities not to allow children to be at meetings for worship.

5,000 Baptist calendars destroyed

On 18 December 2018, customs officers at Dushanbe Airport confiscated 5,000 religious calendars that Baptists were importing, a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 on 14 February. The calendars had photos for each of the 12 months of 2019, and had one quotation from the New Testament for each month.

The calendars were being imported by Dushanbe's state-registered Baptist Church. However Rahmonali Rahimzoda of the Customs Service told Radio Free Europe (RFE/RL)

on 14 February that "following the conclusion of linguistic experts in the Culture Ministry that found elements of propaganda of an alien faith, the calendars were confiscated".

"The Baptist calendars only had Bible verses on them," a local Protestant who wished to remain anonymous for fear of state reprisals told Forum 18 on 21 February. "Unfortunately, this means that our authorities consider that the Bible is an alien book in Tajikistan."

Abdurakhmon Mavlanov of the SCRA did not answer when asked by Forum 18 on 21 February why the state might regard some faiths as "alien", or whether followers of "alien" faiths have greater or less freedom of religion and belief than followers of "non-alien" faiths.

The Church was fined 4,000 Somonis, which is about four months' average wage, under Administrative Code Article 474-1. This punishes producing, distributing, importing, or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship.

SCRA spokesperson Afshin Mukim told RFE/RL that the calendars were confiscated "because propaganda of a religion must be done only within the Baptist Church, and the calendars had religious propaganda in them". He also claimed that the numbers of calendars exceeded the number of Baptists in the country.

The authorities destroyed the calendars in January 2019, "as they were imported without prior censorship and the permission of the SCRA," Customs spokesperson Boymurod Faizulloyev told Forum 18 on 15 February. He would not explain why the calendars were destroyed, or why the Baptist Church was fined. Faizulloyev also refused to explain why the calendars were not sent back to the sender instead of being destroyed.

Sukhrob Odinayev, an "expert" of the Religious "Expert Analysis" Section of the Culture Ministry, adamantly denied that the Ministry gave an "expert opinion" on the calendars. "I don't know why Mavlanov and the Customs Service told you and the press that we gave such an expert opinion, but it is not true," he told Forum 18 on 22 February. He further declined to discuss the issue with Forum 18 or answer other questions.

Abdurakhmon Mavlanov of the SCRA also refused to explain why the calendars were destroyed and Baptists fined. "We have nothing to do with that," he claimed to Forum 18 on 21 February.

Mavlanov did not answer when asked why the SCRA did not raise with the Customs Service or other authorities whether the destruction of calendars with Bible verses on them was a legal and appropriate action.

"My verbal commands are the law.."

In January 2019 State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) officials renewed demands to religious communities of all beliefs to give the SCRA "all kinds of information on the number of their members, finances and activities", a member of one religious community who wished to remain anonymous for fear of state reprisals told Forum 18 in mid-January.

Officials have been particularly interested in community finances, as well as whether children under the age of 10 attend meetings.

The SCRA questions follow January 2018 changes to the Religion Law. An amendment to Article 19 requires all religious communities to provide the SCRA "on request with

information on the sources of income, inventory of its property, expenditure of its resources, number of its employees, salaries paid, the sums of taxes paid and other necessary information".

The amendment to Article 19 also requires religious communities to help SCRA officials to "familiarise themselves with their religious activity in connection with their carrying out of the goals in their statute and the observance of laws".

But even before these changes, the SCRA illegally demanded that religious communities had to complete a detailed SCRA questionnaire every year. The regime imposed the January 2018 changes without consultation, and break Tajikistan's legally-binding international human rights obligations.

Even after the changes, officials act as if there are no legal controls on their actions. One religious community in early 2019 asked Mukhiddin Tukhtakhojaye of the SCRA for a formal written request for the information he wanted, as he is responsible within the SCRA for non-Muslims communities. He replied that he will not put anything in writing, and claimed that "you need to obey my verbal commands".

Tukhtakhojaye then claimed: "My verbal commands are the law as I represent the law. If you don't obey my verbal commands you will be in trouble. We [the SCRA] will come and take any documents we want."

Tukhtakhojaye on 14 February refused to answer Forum 18's questions, claiming: "I cannot talk to you over the phone." Contradicting his behaviour towards various religious communities, he then demanded "please send your questions in writing" before putting the phone down.

"Give us any information whenever we ask for it"

A member of another religious community, who wishes to remain anonymous for fear of state reprisals, told Forum 18 in February 2019 that some religious communities in December 2018 asked the SCRA to hold a round table explaining the January 2018 legal changes. After frequent raids in 2018, "religious communities wanted the SCRA to explain how they can carry out their normal exercise freedom of religion and belief without SCRA interference, and without the fear of being punished", the community member told Forum 18.

The SCRA refused to hold a round table, and replied that "religious communities must obey the law and give us any information whenever we ask for it".

Mosques "have become some kind of state agency"

Mosques and Muslims exercising freedom of religion and belief are targeted for particularly severe state restrictions, imposed through the state-controlled Council of Ulems [Islamic scholars] and other state agencies. These include restrictions introduced in 2017 on how Islamic festivals and the haj pilgrimage are marked. Beard and hijab-wearing bans continue to be enforced, forcing one couple to divorce. Police have set up roadblocks to enforce the bans, which are also been enforced in schools and universities.

The January 2018 amendments to the Religion Law also imposed tighter SCRA controls over building and opening new mosques. According to the amended Article 8, mosque communities require SCRA permission to use specific buildings for worship, while the SCRA also needs to approve the local authorities' plans to allocate land to build a mosque. SCRA permission is required for the appointment of ordinary imams, imam-hatyps (who give sermons) and sar-hatyps (the head of a mosque).

"Mosques have stopped being a social institution, and have become some kind of state agency," a human rights defender who wished to remain anonymous for fear of state reprisals told Forum 18 on 12 February 2019. "Imams are known to share all information on mosque community members with state agencies."

The human rights defender also pointed out that another sign of mosques becoming a state agency was that they now handed over "a big portion of their income to the SCRA". Corruption is widespread in Tajikistan, and Transparency International's Corruption Perceptions Index 2018 ranks the country close to the bottom, in 152nd place out of 180 countries worldwide.

SCRA and Council of Ulems officials refused to discuss their control of mosques and restrictions on everyone's freedom of religion and belief with Forum 18, or put Forum 18 through to anyone who would discuss these issues.

Asked on 21 February why the SCRA collects money from mosques, Abdurakhmon Mavlanov of the SCRA in Dushanbe did not answer and put the phone down.

Haji Nigmatullo Olimov, Deputy Chair of the Council of Ulems, refused to say whether and how much money the Council collected from individual mosques. On 15 February he first asked to speak "after lunch", but then did not answer his phone that afternoon. On 21 February he claimed that "I cannot hear you well", although Forum 18 could hear him clearly. He then put the phone down and did not answer his phone again.

Conscientious objector's complaint to UN Human Rights Committee

Jehovah's Witness former prisoner of conscience Daniil Islamov was jailed for six months from April to October 2018 for refusing military service although he was willing to do a civilian alternative service. By the time of his release, Islamov had been held for nearly a year after being detained in a military unit in April 2017. The Tajik authorities ignored a call by the UN Working Group on Arbitrary Detention just a week before he was jailed that he should be freed "immediately".

On 24 January 2019, Jehovah's Witnesses filed a complaint to the UN Human Rights Committee on behalf of former prisoner of conscience Islamov, they told Forum 18 on 15 February.