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Jail sentences, fines for studying Islam

By Mushfig Bayram

Forum 18 (21.06.2023) - Imam Mukhammadi Mukharramov, who is now 50, was jailed for eight years for privately teaching Islam to a group of 12 Muslim men throughout 2022. The 12 men – whose names are unknown and whose ages ranged between about 30 and 40 - were jailed for between 6 and 9 years. Elsewhere, a man was fined 9 months' average wages for privately teaching Islam to his brother's wife, and a Muslim woman was fined 1 month's average wages for teaching the Koran to a neighbour's 8-year-old daughter.

On 23 March, a court in the capital Dushanbe jailed Imam Mukhammadi Mukharramov – who is now 50 - for eight years for privately teaching Islam to a group of 12 Muslim men throughout 2022. The 12 Muslim men – whose names are unknown and whose ages ranged between about 30 and 40 - were along with the Imam arrested on 2 November 2022, and were jailed along with him for terms of between six and nine years.

Imam Mukharramov did not have his own lawyer, but was given a state-appointed lawyer who did not discuss the case with the family, did not give them the indictment, and has not provided a copy of the verdict in the approximately six hearing trial (see below).

An official (who refused to give his name) who answered the phone of Dushanbe's Ismoili Somoni District Court Chair Gayrat Sanginzoda refused to discuss the case (see below).

The regime has long attempted to suppress the exercise of freedom of religion and belief outside state control, especially by Muslims (see below).

The most recent known prisoner of conscience jailed for exercising their freedom of religion or belief is Muzaffar Davlatmirov, a 59-year-old Ismaili Muslim religious leader. A court in Mountainous Badakhshan Region jailed him in August 2022 for five years for alleged "public calls for extremist activity". It is thought that prisoner of conscience Davlatmirov was jailed because he is respected by Ismaili Muslims (see below).

Mukharramov's family told Forum 18 that the 12 Muslim men knew the Imam as someone who could teach them about Islam, so he agreed to meet them. The family understand that, after the meetings began in early 2022, police learned that Imam Mukharramov was meeting with the 12 men to discuss Islam. Muslims are under particularly close regime surveillance (see below).

Elsewhere, in January 2023 a court fined a Muslim man just over nine months' average wages for privately teaching Islam to his brother's wife from November 2022. Another court fined a Muslim woman just over a month's average wages for teaching the Koran to the eight-year-old daughter of a neighbour (see below).

"Only a tiny fraction of punishments against Muslims whose only guilt is to exercise their religious freedom and practice their religion are known," Muhammadiqbol Sadriddin of the exiled isloh.net website told Forum 18. "This is because people are afraid of talking about their problems" (see below).

Interior Ministry and Prosecutor General's Office officials refused to explain to Forum 18 either why police opened cases against people for teaching religion privately, or why people have to ask for state permission to teach or receive education on the religion of their choice (see below).

Former prisoner of conscience Jehovah's Witness Shamil Khakimov, who is now 72, was released from prison on 16 May. Repeated requests to transfer prisoner of conscience Khakimov to a hospital for urgently-needed specialised medical care were refused, against international human rights law. "He did not receive proper medical attention while in prison, and as a result he developed gangrene in his leg and was in physically painful conditions, but Shamil remained positive by focusing on the Word of God," Jehovah's Witnesses commented after his release (see below).

Former prisoner of conscience Khakimov's sentence bans him from participating in any religious organisation for three years after his release (see below).

Imam and 12 Muslim men jailed for studying Islam privately

On 23 March, a court in the capital Dushanbe jailed Imam Mukhammad Mukharramov (born 15 June 1973, also known as Shaykh Makhmadi or Mukhammad Rakhmatillo) for eight years for privately teaching Islam to a group of 12 Muslim men throughout 2022.

The 12 Muslim men – whose names are unknown and whose ages ranged between about 30 and 40 – were along with the Imam arrested on 2 November 2022.

Dushanbe's Ismoili Somoni District Criminal Court jailed the 12 men along with Mukharramov for terms of between six and nine years. They were all convicted of "creating an extremist association" under Criminal Code Article 307-2 ("Participation in the creation or activity of an extremist association").

Imam Mukharramov did not have his own lawyer, but was given a state-appointed lawyer who did not discuss the case with the family, did not give them the indictment, and has not provided a copy of the verdict in the approximately six hearing trial.

An official (who refused to give his name) who answered the phone of Ismoili Somoni District Court Chair Gayrat Sanginzoda on 16 June 2023 refused to discuss the case. Neither Judge Sanginzoda, nor Court First Deputy Chair Mizrob Kabirzoda, nor other officials answered their phones later the same day.

The family did not appeal against prisoner of conscience Mukharramov's sentence, but hope he will be given a presidential amnesty in 2024.

Suppressing the exercise of freedom of religion and belief outside state control

The regime has long attempted to suppress the exercise of freedom of religion and belief outside state control, particularly by Muslims.

On 12 February 2021, a Dushanbe court jailed Imam Sirojiddin Abdurahmonov (widely known as Mullo Sirojiddin) for five years and six months, along with an unknown number of others. The arrests followed a November 2020 [National Security Committee \(NSC\) secret police raid on Imam Abdurahmonov's Dushanbe flat](#) when he was teaching a small group about Islam.

Similarly, on 4 June 2021 the NSC secret police arrested Imam Mahmadsodyk Sayidov for refusing to read the state-provided sermon all imams must read at Friday prayers, instead giving his own sermon. A Kulob court jailed him in June for five years for allegedly participating in a religious "extremist" organisation. The court also jailed two mosque attendees. A Judge [could not explain to Forum 18](#) what was "extremist" about the three men's alleged activity.

Like [prisoner of conscience Imam Abdurahmonov](#), Imam Mukharramov has also been jailed previously. In 2016 he was jailed for eight years for allegedly being a Salafi, but was freed under amnesty in 2021, his brother Yusuf Mukharramov told Forum 18 on 14 June 2023.

Many were [jailed as alleged "Salafis"](#) in 2016, and the Supreme Court banned the Salafi school of Islamic thought [in 2009](#).

The most recent known prisoner of conscience jailed for exercising their freedom of religion or belief is Muzaffar Davlatmirov, a 59-year-old Ismaili Muslim religious leader. A court in Mountainous Badakhshan Region [jailed him in August 2022](#) for five years for alleged "public calls for extremist activity". It is thought that prisoner of conscience Davlatmirov was jailed because he is respected by Ismaili Muslims.

Serious freedom of religion and belief violations continue, the latest known violation being a [decree denying the families of those killed in alleged "anti-terrorism operations"](#) the possibility of, among other things, burying their dead with the religious or other rites they would have chosen or even knowing where they are buried. "The authorities are enforcing the decree violently" in Mountainous Badakhshan, exiled human rights defender and journalist Anora Sarkorova told Forum 18.

Police surveillance of meetings to study Islam?

Mukharramov's family told Forum 18 that the 12 Muslim men knew the Imam as someone who could teach them about Islam, so he agreed to meet them. "My brother is not an 'extremist' and did not teach 'extremism' to the men," his brother – who does not know the men – told Forum 18. "He only taught how to pray and practice your religion."

The family understand that, after the meetings began in early 2022, police learned that Imam Mukharramov was meeting with the 12 men to discuss Islam. Muslims are under [particularly close regime surveillance](#).

"Besides surveillance cameras in towns and cities, every village has state-controlled mahalla committees [local residential administration], youth organisations, and state-controlled activists – spies - whose main task is to inform the authorities on who does what in that locality," Mirzo Salimpur of independent Tajik news site Bomdod.com told Forum 18 on 14 June 2023.

State-appointed imams – the only type of imam permitted – are known to [give information on congregation members to the NSC secret police](#).

Human rights defender Salimpur commented that the vast majority of Muslims have no opportunity of finding out more about Islam unless they can find a way of privately

learning about Islam. The only other opportunity is to gain one of the very small number of university places to study Islamic theology.

On 2 November 2022, Ismoili Somoni Police summoned Imam Mukharramov for questioning and then arrested him. Police told the family that Mukharramov's 2016 sentence banned him from teaching Islam privately, and this is also [banned in law](#). Imam Mukharramov admitted in court to his "crime" of teaching religion privately.

Imprisoned

Imam Mukharramov is now in Strict Regime Prison No. 3/1 in Vahdat District, east of Dushanbe, where he will serve his eight-year term, which is counted from the date of his arrest, 2 November 2022. His prison address is:

*Tajikistan, Shahri Vahdat, Muassisai Islohii YaS 3/1
Mukhammadi Mukharramov*

Conditions in prisons can be harsh. In 2022, the Strict Regime Prison No. 3/1 administration [put a prisoner in a punishment cell for 15 days for having a Koran and teaching Islam to other prisoners](#).

Mukharramov told Forum 18 that he met his brother in the prison in May 2023. "He was doing fine and he stays in a room with five other persons."

Fines for teaching Islam privately to one person

On 23 January 2023, Judge Mukhammad Salimzoda of Sangvor District Court in central Tajikistan fined a 38-year Muslim man 5,760 Somonis for privately teaching Islam to his brother's wife from November 2022, according to the Court website.

The man from Zugara village "grossly violated the requirements of Article 8, Part 4 of the Religion Law, under which giving religious education is only possible with a state licence". He was convicted under [Administrative Code Article 474](#) ("Violation of the Religion Law").

Videos and photographs, as well as witness statements from unnamed witnesses, were used to find the man "guilty" of giving private religious lessons to one person.

One month's local average wage for those in formal work is about 600 Somonis, so the fine is equivalent to about nine months' average wages.

No-one at Sangvor District Court answered their telephone whenever Forum 18 called on 16 June.

On 29 April 2023, Judge Latofat Jafarzoda of Dusti District Court fined 26-year old Nozanin Samiyeva 680 Somonis for teaching the Koran to the eight-year-old daughter of a neighbour. Samiyeva, a Muslim woman from Shakhdrez in the Dusti District of Khatlon Region of south western Tajikistan, was convicted under [Administrative Code Article 474](#)("Violation of the Religion Law"), Part 1 for giving the Koran lessons between 2021 and 2023. She admitted she had done this, the Court website claims.

One month's local average wage for those in formal work is about 600 Somonis.

No-one at Dusti District Court answered their telephone whenever Forum 18 called on 16 June.

"People are afraid of talking about their problems"

"Only a tiny fraction of punishments against Muslims whose only guilt is to exercise their religious freedom and practice their religion are known," Muhammadiqbol Sadriddin of the exiled isloh.net website told Forum 18 on 14 June. "This is because people are afraid of talking about their problems."

Human rights defender Salimpur commented that President Emomali Rahmon "is afraid of religion and particularly Islam. He is afraid that he can lose his authority if Islam is more taught and honoured than him." The regime "keeps arresting and imprisoning any Muslim man who has the slightest influence on others or who teaches Islam to others." He observed that "President Rahmon is fighting Islam under the slogan of fighting 'extremism' and 'terrorism'."

Why?

Lieutenant Colonel Mammadsharif Odinzoda, head of the Interior Ministry section responsible for freedom of religion or belief related cases, refused to explain to Forum 18 on 19 June why police opened cases against people for teaching religion privately. He claimed he was "too busy" to do this, and referred Forum 18 to his deputy Major Aziz Amirzoda. Amirzoda claimed he cannot answer questions without written permission from the Interior Minister himself, and then put the phone down.

Yusuf Ruzizoda, Deputy Head of the International Section at the Prosecutor General's Office in Dushanbe, claimed such cases were opened because teaching religion privately is banned by the Religion Law and the Criminal and Administrative Codes. When Forum 18 asked why people have to ask for state permission to teach or receive education on the religion of their choice, Ruzizoda responded: "I do not think that it is proper to discuss such issues over the phone. You need to send your questions in writing." He then put the phone down.

Neither State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) Chair Sulaymon Davlatzoda, nor SCRA Deputy Chair Farrukhullo Olimzoda answered their telephones whenever Forum 18 called on 19 June.

Prisoner of conscience released, post-prison punishment starts



Fellow Jehovah's Witnesses greet Shamil Khakimov on release from prison, 16 May 2023
Jehovah's Witnesses

Former prisoner of conscience Jehovah's Witness Shamil Khakimov was released from prison in the northern city of Khujand on 16 May at the end of his sentence, Jehovah's Witnesses told Forum 18. Fellow Jehovah's Witnesses welcomed him outside the prison on his release, with balloons and a poster reading "Shamil, we love you!"

On 10 September 2019, a court in Khujand jailed Khakimov for seven years, six months for allegedly "[inciting religious hatred](#)". (His jail term was later twice reduced.)

Khakimov had been in pre-trial detention since February 2019, and was prosecuted for books, other literature, photos, videos, audios, computer files, and mobile phone data seized from him and other community members, which the Prosecutor's Office claimed contain "features of extremist activity". No evidence was produced that Khakimov or his community had harmed anyone.

Among the "evidence" produced was a hostile "[state religious expert analysis](#)" of a Tajik translation of the Bible, produced by three state-controlled imams at the request of the NSC secret police.

"I am guilty of nothing," prisoner of conscience Khakimov told the Court. His real "crime" seems to be that the regime [thinks he led Khujand's Jehovah's Witness community](#).

The prison administration [rejected repeated requests to transfer prisoner of conscience Khakimov to a hospital](#) for urgently-needed specialised medical care, against international human rights law. The 72-year-old has multiple medical conditions, including signs of gangrene in his legs, serious eyesight problems, and frequent severe headaches.

"He did not receive proper medical attention while in prison, and as a result he developed gangrene in his leg and was in physically painful conditions, but Shamil remained positive by focusing on the Word of God," Jehovah's Witnesses commented after his release.

Former prisoner of conscience Khakimov's sentence bans him from [participating in any religious organisation](#) for three years after his release. As he was released from prison, a prison official verbally warned him "not to teach" about his religion, Jehovah's Witnesses told Forum 18. It appears that he is not on probation and does not need to report regularly to police, they added.

Release of Jehovah's Witness Shamil Khakimov, 72, after four years in prison

Willy Fautré

[European Times](#) (16.05.2023) - This morning, Tuesday 16 May, Shamil Khakimov, 72, was released from prison in Tajikistan after serving the full term of his four-year sentence. He had been imprisoned on spurious charges of "inciting religious hatred." In reality, sharing his faith with others.

His release comes on the heels of an official visit to Tajikistan by the UN Special Rapporteur on Freedom of Religion or Belief, Nazila Ghanea, last month.

The persecution and the sentencing of Shamil Khakimov to prison

Shamil Khakimov is a widower and a pensioner. He was born in the small village of Kaktush, in the district of Rudaki, Tajikistan. In 1976, he married and moved to the capital city of Dushanbe, where for 38 years he worked for *OJSC Tajiktelecom* as a cable lines engineer. Khakimov had two children, a son and a daughter. In 1989, when his son was 12 and his daughter was 7, his wife died from cancer. He took care of his children and never remarried. He became a Jehovah's Witness in 1994.

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 as well as the participants of the gathering, seized their Bibles and other religious publications. Several Jehovah's Witnesses 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 them.

The case was dismissed in October 2009 after the annual OSCE Human Dimension Implementation Meeting in Warsaw where his imprisonment was made public. However, the prosecutor reopened the criminal case later on other charges.

In September 2019, the Khujand City Court sentenced Khakimov to seven and a half years in prison. The court also imposed a three-year ban on his religious activity after completing his sentence. He lost an appeal on 9 October 2019.

In March 2021, Khakimov's original 7.5-year sentence was reduced by two years, three months, and ten days. He was informed via letter that his term was commuted as a result of Tajikistan's amnesty law.

In September 2021, his sentence was reduced another year.

In September 2021, while he was in prison, his son died from a heart attack. He was not allowed to attend his funeral.

In October 2021, it was reported that Khakimov's health had deteriorated greatly.

State of health

Since 2007, he had suffered from severe circulatory problems in his lower limbs, which required surgery. His condition worsened in 2017, requiring additional surgery, which was performed that year. Owing to poor vascular circulation, his surgical wounds did not heal. He had an open leg ulcer when he was arrested on 26 February 2019, and subsequently placed in pre-trial detention. Despite his health situation, the detention order was extended 3 times, lasting 6 months and 13 days in total.

In detention, Khakimov also suffered from heart disease, atherosclerosis of the legs, varicose veins and gangrene in early stages in his left foot. He also lost vision in his right eye, and he could barely see out of his left eye due to progressive glaucoma. On 31 October 2022, he received a certificate attesting to the fact that he was now identified as having a group two disability.

International outcry

The international community was very active in Khakimov's case

USCIRF (United States Commission on International Religious Freedom) published numerous press releases (e.g., [link](#)) and adopted him as a FoRB victim ([link](#)), see also Twitter ([link](#))

IRFBA (International Religious Freedom or Belief Alliance) Chair (Fiona Bruce) wrote to President Rahmon of Tajikistan (see Twitter [link](#))

UN Special Rapporteur on Freedom of Religion or Belief, Nazila Ghanea also pleaded in his favor (see [link](#)) and her predecessor Ahmed Shaheed as well (see [link](#))

U.S. Ambassador at Large Rashad Hussain, see [link](#)

U.S. Senator Marco Rubio, see [link](#)

UN Human Rights Committee (CCPR): On 19 March 2021, it requested that Tajikistan “ensure, without delay, that [Mr. Khakimov] receives adequate medical treatment in a specialized medical institution in accordance with his health care requirements, and that an alternative to imprisonment is secured for [Mr. Khakimov], while his case is pending before the [CCPR].” This request was repeated on 18 June and 13 September 2021, without result

On 8 November 2022, Khakimov filed a formal [petition](#) for his release to the President of Tajikistan. The same petition was filed with the General Prosecutor’s Office, the Ministry of Justice, the Ministry of Foreign Affairs, and the Ombudsman.

On 10 November, Supervisory filed an appeal with the [Supreme Court](#), requesting that his case be re-opened and reversed, based on 2022 judgment by the [UN Human Rights Committee \(CCPR\)](#) that declared Tajikistan’s ban on Jehovah’s Witnesses unlawful and baseless.

On 11 November, a [private complaint/appeal](#) was filed against the trial court decision that refused to release Shamil based on his poor health.

Registration and ban of Jehovah’s Witnesses

Jehovah’s Witnesses have been active in Tajikistan for more than 50 years. In 1994, their organization (RAJW) was granted registration by the then 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, 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 from door to door.

Will Tajikistan meaningfully engage on religious freedom?

The visit of the United Nations Special Rapporteur on freedom of religion or belief provides a unique opportunity for increased engagement and the potential for positive reform.

By Nury Turkel and Eric Ueland

[The Diplomat](#) (26.04.2023) - The United Nations Special Rapporteur on freedom of religion or belief, Nazila Ghanea, [completed](#) her first official country visit last week, to Tajikistan. This visit comes nearly two years after her predecessor [canceled](#) a planned trip to the country after the government failed to extend an official invitation. Ghanea's visit is a fresh opportunity for Tajikistan to address its many shortcomings on protecting the fundamental right of freedom of religion or belief.

Since 2012, the United States Commission on International Religious Freedom (USCIRF) has [recommended](#) that the U.S. Department of State designate Tajikistan as a "Country of Particular Concern" or CPC, for its systematic, ongoing, and egregious violations of religious freedom. The State Department has designated it as a CPC since 2016, [most recently](#) in November 2022.

In 2009, religious freedom in Tajikistan declined sharply after the government's adoption of several highly restrictive laws. Religious groups suddenly had to undergo a more burdensome and intrusive registration process that, if denied, rendered their religious activities illegal and meant great personal risk of fines or even prison. Even more shocking for families was a ban on children participating in any organized religious activities such as prayers or education.

Today, the government continues to control and surveil all religious activity, including publishing or selling religious literature, wearing religious clothing, and other outward expressions of devotion. It also represses religious freedom in the [guise](#) of "extremism" charges leveled at individuals for the nonviolent practice of their faith. For example, last July Imam [Muzaffar Davlatmirov](#) was detained, hastily charged, and then convicted in a secret trial for "public calls for extremist activity" after he held funeral prayers for protesters killed by the government. He was sentenced to five years in prison. Similarly, authorities have imprisoned Jehovah's Witness [Shamil Khakimov](#) since 2019 on spurious charges of "inciting religious hatred."

Over the past decade, Tajikistan's repression of religion has most widely affected the majority Sunni Muslim population. In the past year, however, the government has newly [cracked down](#) on the Ismaili Shi'a Muslim minority, closing religious schools and bookshops and enforcing bans on private prayer meetings. In addition, the country's small Christian population finds it difficult to register their communities and so are forced to worship in secret.

The U.N. Special Rapporteur's visit to the country offers an opportunity to better understand the conditions facing religious communities in Tajikistan.

Engagement with the U.N. Special Rapporteur and other international actors has played a key role in advancing freedom of religion or belief elsewhere in the region. For example, in 2017, Uzbekistan welcomed the [visit](#) of then-Special Rapporteur Ahmed Shaheed, whose recommendations to improve the country's religious freedom landscape led the Uzbek government to adopt a "road map" for reform. Uzbekistan largely ended police raids on religious minorities, consulted with international experts to revise its own problematic religion law, and eased some restrictions on religious groups' ability to practice and express their beliefs. Although Uzbekistan continues to

severely [violate](#) religious freedom — most notably by [imprisoning](#) Muslims for “unauthorized” religious activities — leading to USCIRF’s continued recommendation for its inclusion on the State Department’s Special Watch List (SWL), its government has nonetheless made perceptible progress that will hopefully continue.

Similarly, since 2019 Kazakhstan has [engaged](#) with the United States on these issues through the U.S.-Kazakhstan Religious Freedom Working Group, a forum for discussions on its restrictive legislation, religious prisoners of conscience, and the targeting of individuals who do not adhere to “traditional” religions or state-sanctioned Islam. Most recently, the working group provided extensive feedback on amendments to the country’s 2011 religion law that [contributed](#) to some modest changes. USCIRF continues to encourage the government of Kazakhstan to adopt additional amendments with the wide-ranging changes necessary to comply with international human rights standards. While Kazakhstan continues to engage in conversations with international actors, including USCIRF, its reforms to date remain insufficient for USCIRF to discontinue recommending its inclusion on the SWL as well.

Ample room remains for Central Asian countries to reform their respective spaces for freedom of religion or belief, and engagement on these key issues is an important first step. Tajikistan’s willingness to host the Special Rapporteur offers the government a unique opportunity to receive recommendations from an independent expert, reassess its practices, and bring its policies in line with international human rights standards. Doing so would be in the government’s self-interest and would benefit those who simply seek to worship freely and without fear in Tajikistan.

Photo Credit: Depositphotos