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HRWF (08.11.2024) – On the eve of the 15th EU-Tajikistan Human Rights Dialogue to be held in Brussels on 19 November, *Human Rights Without Frontiers* is deeply concerned about the situation of Jehovah’s Witnesses in Tajikistan and is making recommendations to the EEAS (European External Action Service) about a few topics that need to be raised.

Proposal of issues to be raised during the EU-Tajikistan human rights dialogue

Human Rights Without Frontiers recommends that the following issues concerning the movement of Jehovah’s Witnesses be raised during the human rights dialogue EU-Tajikistan

- the reregistration of the movement of Jehovah’s Witnesses to comply with the 7 September 2022 “Views of the United Nations Human Rights Committee” (CCPR)
- the recognition of the right to conscientious objection to military service and the creation of a genuine alternative civilian service of a nonpunitive nature in line with international standards, and not under military control
- the end of the harassment of Jehovah’s Witnesses sharing their faith in public.

Background of the recommendations

1. Concerns about the ban of Jehovah’s Witnesses in 2007

Tajikistan banned their movement in 2007, claiming that the following peaceful beliefs and practices of Jehovah’s Witnesses were in ‘violation of the religious law’: (1) their conscientious objection to military service; (2) discussing their religious beliefs with others, in private or in public.

In a landmark ruling in the case of *Adyrkhayev v. Tajikistan*, the United Nations Human Rights Committee (CCPR) concluded that Tajikistan’s 2007 ban on Jehovah’s Witnesses is a violation of its obligations under the International Covenant on Civil and Political Rights.

The CCPR asserted that “none of the reasons” given by Tajikistan “to justify the decision to ban” the activities of Jehovah’s Witnesses are justifiable. The CCPR directed Tajikistan to reconsider the registration application of Jehovah’s Witnesses. According to local legislation, in order to implement the CCPR’s direction, the government first needed to cancel the banning decision. However, on 17 April 2023, an application to reconsider the 2007 decision to ban Jehovah’s Witnesses was arbitrarily dismissed.

While the 2007 ban of Jehovah’s Witnesses was still being considered by the CCPR, on 29 March 2021, the Supreme Court of Tajikistan issued a decision declaring Jehovah’s

Witnesses to be an 'extremist organization' and banned their religious activity and religious publications nationwide. The Supreme Court did this in a secret "closed hearing" without giving notice of the application to Jehovah's Witnesses, who had no opportunity to defend themselves and did not become aware of the decision until 10 January 2023.

All attempts to appeal the 2021 decision were never considered by the government.

2. *Concerns about the denial of recognition of the right to conscientious objection to military service*

The CCPR has three times strongly recommended that Tajikistan recognize the right to conscientious objection: in 2005, 2013, and 2019.

In January 2021, Tajikistan issued a new law on military service. The new law introduced the concept of a "mobilization conscription reserve." As an alternative to the regular 24 months of military service, a conscript can pay a certain amount to the Ministry of Defense and undergo one month of military training. This alternative to regular military service does not meet international standards and is unacceptable to Jehovah's Witnesses.

3. *Concerns about police harassment of members of the faith*

The Organized Crime Division (OCD) police officers regularly raid homes of Witnesses and asks them if they continue to be members of an "extremist organization."

On one occasion, they visited the family of a young Witness man in Buston who had previously been prosecuted and imprisoned for two years as a conscientious objector to military service.

In Dushanbe, police officers detained and questioned two female Witnesses who had been peacefully sharing their religious beliefs with others. Both women, along with the husband of one of them, were detained overnight and then charged under Article 462(1) of the Criminal Code of Tajikistan for 'inciting religious hatred.'