

22 March 2013

TAJIKISTAN: Religious political party members fined for religious activity

By Mushfig Bayram, Forum 18 (<https://www.forum18.org>)

Police, secret police and local officials are continuing to try to prevent members of Tajikistan's only legally permitted religious political party - the Islamic Renaissance Party (IRP) - from exercising their right to freedom of religion or belief in party-organised meetings. A women's meeting in a village of northern Sughd Region was broken up soon after they began praying and reading the Koran. Police Chief Vosip Kaziyeu told Forum 18 News Service that the authorities decided to "allow the IRP to have religious gatherings only on Saturdays but [Munovar] Sadikova held her meeting on 20 February, which was a Wednesday." She was fined. When her husband objected vocally to his wife and the other participants being harangued by an administration official, he was imprisoned for 15 days for petty hooliganism. Up to five women in southern Khatlon Region were fined for taking their children to a February celebration of the Muslim Prophet Muhammad's birthday arranged by the IRP.

Members of Tajikistan's only legally permitted religious political party have been punished for exercising their right to freedom of religion or belief in party-organised events, Forum 18 News Service has learned.

Up to five women in southern Khatlon Region were fined for taking their children to a February celebration of the Muslim Prophet Muhammad's birthday arranged by the Islamic Renaissance Party (IRP). In northern Sughd Region, an IRP activist was fined for reading the Koran and praying during a meeting for local women she arranged in her home. The meeting was on a Wednesday, when the IRP is only allowed to hold religious meetings on Saturdays, the police chief told Forum 18. Her husband was freed on 7 March from a 15-day prison term, imposed after he spoke out in a meeting at the Administration where his wife and other female participants were being harangued.

The fines were handed down under Article 474, Part 1 of the Code of Administrative Offences ("carrying out religious activity without state registration or re-registration of the organisation"). Punishments for individuals consist of fines ranging between 7 and 10 Financial Indicators (FIs). One Financial Indicator remained unchanged in the 2013 Budget at 40 Somonis (50 Norwegian Kroner, 7 Euros or 8 US Dollars).

The authorities have long sought to prevent religious worship in IRP-owned premises, including Muslim prayers at the party headquarters in the capital Dushanbe (see F18News 15 November 2010 http://www.forum18.org/Archive.php?article_id=1511).

Mavlon Mukhtarov, First Deputy Head of the State Committee for Religious Affairs (SCRA), told Forum 18 from Dushanbe on 20 March that he cannot comment on the specific cases since he is not familiar with them, but denied any pressure from the government. He refused to discuss the enforcement of provisions in the restrictive Religion Law and the Parental Responsibility Law.

The Parental Responsibility Law entered into force in August 2011 amid much controversy. Among many other provisions, it bans almost all young people from attending places of worship (see F18News 16 August 2011 http://www.forum18.org/Archive.php?article_id=1602).

Raid on Prophet Muhammad birthday celebration

Abdusamad Gayratov, chair of the IRP's Kulyab [Kulob] division in southern Khatlon Region, told Forum 18 that his party planned to hold celebrations of Prophet Muhammad's birthday for their members before the end of March at their various Party headquarters across Tajikistan.

However, he lamented that their 10 February celebration in the city of Kulyab was "marred" by the raid by local officials: Kalondor Mirzoyev of the City Administration's Religious Affairs Department, Police Major Navruz Nazarov and Inspector Dilshod Khamidov.

"This seminar was conducted for women, and altogether about 170 took part," Gayratov told Forum 18 on 15 March. "We started the

meeting at 10 am, and Mirzoyev was there within ten minutes, with four Police officers arriving ten minutes after him."

When Gayratov objected that the officials entered the hall and disturbed the meeting, Major Nazarov along with the two other officers brought him to the Police Department, Gayratov told Forum 18.

"Major Nazarov questioned me in his office for about an hour, and drew up a police report." Major Nazarov told Gayratov that he was being charged for organising an unauthorised religious meeting. "I argued with him that we are a registered Islamic political party, and that by celebrating the Prophet's birth, nothing disturbed the public or went against the State," Gayratov told Forum 18. Major Nazarov then brought him to Jumakhon Nazarov, Chief of Kulyab Police, who repeated Major Nazarov's claims to Gayratov, after which he was released.

Meanwhile, while Gayratov was at the police station, Inspector Khamidov waited at the door of the hall, taking down the parents' and children's names as they came out.

Fines

At least one and possibly as many as five of the women who attended the 10 February celebration have been fined for their participation.

Judge Bahrom Sharipov, Chair of Kulyab City Court, summoned local resident Guljahon Gayibova on 25 February to inform her that she was fined 40 Somonis under Administrative Code Article 474, Part 1. She was accused of bringing her 13-year old daughter to the meeting, alleging that this violated the Religion and Parental Responsibility Laws.

Gayibova told Forum 18 on 15 March that when she asked for the copy of the Court decision, Suhrob Akramov, who presented himself as a Court official, told her that she should not hire a lawyer or make complaints, since she had been given the minimum fine for her violation. "Because the amount is so small, it is shameful to make big noise about it," she quoted Akramov as telling her. "So you should just sign the papers that you don't need a lawyer, and we will take care of the payment."

Presenting himself as a Judge of the Kulyab Court, Akramov told Forum 18 on 19 March that he did not remember the details of the case. He asked Forum 18 to call back later the same day. When called back, a woman who answered Akramov's phone (she refused to give her name or position in the Court) told Forum 18 that Akramov is not a Judge but a bailiff, and said that he is not available to talk. However, she said that Gayibova's case had been heard by the Chair of the Court, Bahrom Sharipov. She then referred Forum 18 to Judge Sharipov.

Sayjafar Yuldashev, Judge Sharipov's assistant, told Forum 18 on 19 March that the Judge was not available to comment but that Gayibova had been fined for "bringing her child into a religious meeting". Yuldashev refused to tell Forum 18 whether other parents were fined and, if so, to give their names. He also refused to put Forum 18 through to Judge Sharipov or other officials of the Court.

How many parents fined?

Tajikistan-based media variously put the number of mothers fined under the same charges for bringing their children to the meeting at between three and five. However, neither Gayratov, Gayibova, Police officers who raided the Party seminar nor the Court officials could give exact names or numbers of the parents to Forum 18. Police Major Nazarov told Forum 18 on 19 March that he does not know how many parents came with their children to the seminar or how many were punished for it.

Nonetheless, Judge Ochilov (first name not given) of Kulyab Court summoned Gayratov on 6 March to tell him that administrative charges are being prepared against him for holding a religious event outside a registered place of worship.

Gayratov said that Judge Ochilov, as "one proof of his guilt," told him that five women were fined for participating in the Party seminar with their children, aged between 6 and 13. "The Judge, pointing to a stack of papers on his table, told me that two of the women already paid the fines," he told Forum 18 on 16 March. Although Gayratov said that he believes it could be true, he does not know the names of these mothers.

Asked what punishment will be given to Gayratov, Major Nazarov told Forum 18: "I drew up the report of the unauthorised religious meeting, and referred the case to the Religious Affairs Department. It is up to them whether or what punishment they will give."

Kulyab Court officials did not tell Forum 18 whether or when a hearing of Gayratov's case will be.

Mother and daughter warned

On 18 and 19 February, Police Inspector Khamidov – who had recorded the names of parents and children present at the meeting – visited their schools. Some parents were summoned and Khamidov dictated statements of why they were in the meeting and promising not to attend such meetings again.

Gayibova told Forum 18 that Khamidov visited her daughter's school several times. He told mother and daughter in front of the teachers that "what we did was illegal, and made me write a statement that my daughter will not participate in religious meetings in future."

"The law is against our religious rights, and also the rights of our children," Gayibova lamented to Forum 18. "What can we do when we do not want to leave our children home alone, and we have to go to a religious event?"

Calls to Inspector Khamidov's office phone throughout 20 March went unanswered. Khamidov three times answered his mobile phone the same day, but without saying anything each time put the phone down.

Raid in Sugd Region

Sixteen officials from various state agencies - including Vosip Kaziyev, Chief of Isfara District Police Station No.2, other Police and National Security Committee (NSC) secret police officers - raided the private home of Abdumannon Sadikov and his wife Munovar Sadikova in the village of Surkh in Sugd Region's Isfara District. The couple are IRP activists.

Officers arrived early in the morning of 20 February while the husband was absent from home since his wife was conducting a meeting for women where she would discuss the Party's agenda with 16 local women, Sadikov told Forum 18 on 18 March.

The raid began when the local Police Officer Umid Kholikov along with another police officer at about 8.30 am "without warning entered our house", Sadikov told Forum 18. His wife had just started the meeting with prayer and Koran reading 15 minutes before the Police arrived. Such prayer and Koran reading should have lasted 30 minutes "as we, in the IRP, usually begin our meetings," Sadikov said. "When my wife opened the door, and said that they are having normal activity of the IRP, which is a legally registered party, Officer Kholikov told her they are having an illegal religious meeting."

Then Officer Kholikov "immediately collected all the cell phones so no one could make a phone call to inform anyone of what was happening." When Sadikova told Kholikov that what the Police was doing was illegal, he told her: "I am not afraid of anyone." However, one of the women secretly called Sadikov and he arrived about 9.30 am.

"The officials took down the women's names and made them write statements," Sadikov recounted. "They then left, asking me to come to Isfara District Police, which I did around lunch time."

At the Isfara District Police Station No.2, Police Chief Kaziyev and other officers questioned Sadikov for two hours. Officers warned that they "must not have any meetings" in their home, including Koran reading or prayers for party members or anyone. After two hours of being kept at the Station he was released.

"I simply carried out my orders"

Officer Kholikov admitted that the Police "visited" Sadikov's home but denied that he collected the mobile phones or threatened the women. "They lied to you," he insisted to Forum 18 on 19 March. When Forum 18 asked what exactly happened and why the Police raided the Sadikovs' home, he refused to comment. "Please talk to my Police Chief, I simply carried out my orders."

Police Chief Kaziyev told Forum 18 the same day that the authorities decided to "allow the IRP to have religious gatherings only on Saturdays but Sadikova held her meeting on 20 February, which was a Wednesday." Asked whether he does not think the decision to allow people to pray or read Koran on certain days only is not arbitrary, he referred Forum 18 to Obidboy Akhmadov, chief religious affairs official of Isfara City Administration.

Asked why people cannot pray and read the Koran with friends or colleagues in their private homes, Khasanboy Zaliyev, Head of Sukhr village administration, was categorical. "We have 16 Mosques in our District - people can pray there," he told Forum 18 on 20 March from Sukhr. "We have religious freedom in Tajikistan."

Confrontation with District Administration official

Sadikov told Forum 18 that after he was released from the Police Station at around 2 pm, he received a call from his wife. She informed him that now she and three other women from the meeting were summoned to the Surkh village Administration's building for a meeting with Oliya Ganiyeva, Deputy Head of Isfara District Administration. "She told me that Ganiyeva was scolding them for organising illegal activity as well as putting pressure on the women to leave the IRP."

"When I arrived at the Administration building I knocked on the door of the hall where the meeting was taking place," Sadikov explained. Akhmadov, Isfara's Religious Affairs official, came out of the hall, telling Sadikov that he "should not enter since it is a meeting for women."

"When I told him that my wife is in there and she feels intimidated, and I want to be by her side," Sadikov said, "Akhmadov calmed me saying that I should not worry, that even he is not going to sit in the room, and that the meeting should be over in 30 minutes."

However, the meeting went on longer, and Sadikov could hear Ganiyeva "yelling" at the women, pounding on the table, scolding them for alleged illegal activity and accusing the IRP leadership of embezzling the Party's money. Sadikov told Forum18 he "could not stop, but entered the hall and sat at the back."

"When I raised my hand, introduced myself, and asked loudly by what rights the authorities raid our private home, summon me to the Police station, and then summon my wife and her guests to the Administration to scold, yell at them, and falsely to accuse our colleagues, Ganiyeva yelled at me and other officials present at the meeting: Who is this uncultured person - take him out of here immediately."

Village administration Chief Zaliyev, who was also in the hall, "came to me, and taking my arm softly, asked to leave the hall together with him." Then "within minutes" Officer Kholikov accompanied by other police officers arrived and took him to the Police Station.

Zaliyev defended to Forum 18 the short-term jailing of Sadikov, claiming that he had "behaved like a hooligan". Asked what exactly in Sadikov's actions constituted hooliganism, Zaliyev responded that Sadikov "yelled at a very important person from the government, which is an insult."

Told that Sadikov's home was raided by so many officials early in the morning, he then was interrogated by the Police while his wife was compelled to stay in Ganiyeva's meeting for lengthy questioning while she was being shouted at, and asked whether had all this happened to him he would react calmly, Zaliyev responded: "Look you were misinformed, and this is not a phone conversation, and I am busy at the moment." He refused to talk further to Forum 18.

Arrest

After being kept at the Isfara Police from 4 pm on 20 February until the morning of 21 February, Sadikov was then taken to Isfara District Court. There Judge Farhod Ganiyev (Forum 18 is not aware whether or not he is related to Ganiyeva) "made a quick decision, without giving me a chance to defend myself or use the services of a lawyer," Sadikov told Forum 18.

He said that Ganiyeva was present at the hearing and "kept yelling at me even at the Court." When he tried to defend himself or say anything in his defence, "the Judge told me to shut up."

Forum 18 could not reach Judge Ganiyev or other officials on 20 March. Phones at the Court went unanswered. However, Judge Ganiyev on 28 February claimed to local news agency Asia Plus that Sadikov refused to use the services of a lawyer or other witnesses.

Sadikov ridiculed the claim, telling Forum 18: "I was not even given a chance to look round for lawyers, and I was taken from my home to the Police, from the Police to the Court, and given the arrest within less than one day."

Asked why Sadikov was given a 15-day prison term, Isfara Police Chief Kaziyev admitted that "there is nothing wrong with Sadikov's participation" in Ganiyeva's meeting but that "Ganiyeva complained to the Police that he insulted her." Asked how this can be proved, he referred Forum 18 to Isfara District Court.

Asked how in less than one day all these legal procedures could take place, and such a serious punishment be given to a person without even allowing him to defend himself, Kaziyev responded, "We are not against Sadikov – we simply punished him for petty hooliganism."

Fine

On 7 March – the day her husband was freed - Religious Affairs Official Akhmadov fined Sadikova 320 Somonis under Administrative Code Article 474, Part 1. She received a copy of the decision - which Forum 18 has seen - at Isfara Administration building on 11 March. However, she has not paid the fine and on 14 March filed an appeal in the court against the decision.

Asked why Sadikov had been jailed and why his wife had been fined, Akhmadov on 19 March told Forum 18: "These are Tajikistan's internal issues, it is none of your business. We have prosecutors and other organs who can prove who was right who was wrong." Asked why the IRP was allowed to have religious meetings only on Saturdays, he did not answer.

Told that Sadikova refuses to pay the fine and appealed, and asked what further measures will be taken against her, Akhmadov responded: "It is not your business whether she pays or does not pay the fine." He further refused to talk by telephone, insisting that Forum 18 should come to his office to talk. (END)

More coverage of freedom of thought, conscience and belief in Tajikistan is at <http://www.forum18.org/Archive.php?query=&religion=all&country=31>.

For more background see Forum 18's Tajikistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1553.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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