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TAJIKISTAN: Have "suspended" Islamic schools been closed down?

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

Nine madrassahs (Islamic religious schools) functioned in Tajikistan's northern Sughd Region until the harsh 2009 Religion Law. Only five were allowed to register after that, but their activity was "suspended" in July 2013. Five months on, none has been allowed to resume its activity and the 300 children have had to transfer to public schools, Forum 18 News Service has learnt. Mavlon Mukhtarov of the State Committee for Religious Affairs, as well as Abdukhakim Sharipov of Sughd Region's Religious Affairs Department claimed to Forum 18 that the suspensions came because the authorities wanted to "bring order" to the madrassahs' legal documents and curricula. Mukhtarov said he "cannot give an exact time" for their reopening. Only one madrassah – in Turonzoda – still functions in the entire country. The United Nations Human Rights Committee criticised the state's restrictions on religious education – and other restrictions on freedom of religion – in a report published in August.

Five months after five of Tajikistan's six officially allowed madrassahs (Islamic religious schools for children) were "suspended", they remain closed today (4 December), Forum 18 News Service has found. The 300 students of the five madrassahs – all in the northern Sughd Region - were compelled to continue their education in non-religious public schools. The enforced closures appear to be part of the authorities' continued aim to exert tight control over religious education – particularly by the Islamic community.

The authorities also continue to impose fines for unregistered religious education, including by non-Islamic communities, Forum 18 notes. The United Nations Human Rights Committee criticised the state's restrictions on religious education – and other restrictions on exercising the right to freedom of religion or belief in Tajikistan – in a report made public in August (see below).

Mavlon Mukhtarov, Deputy Chair of the State Committee for Religious Affairs (SCRA) in the capital Dushanbe, as well as Abdukhakim Sharipov, Head of Sughd Region's Religious Affairs Department, separately claimed to Forum 18 that the suspensions came because the authorities wanted to bring order to the madrassahs' legal documents and curricula. Both officials insist that the madrassahs will resume their work once the changes are made, but set out no timetable for any reopening.

Parents of children who attended the madrassahs are concerned that they could be closed down permanently. They point to numerous other madrassahs not given official registration after the harsh 2009 Religion Law came into force, and thus not allowed to exist.

Long-standing state pressure on religious education

The 2009 Religion Law allows the giving of religious education only with state permission. It also requires that Tajik citizens wishing to receive religious education abroad must gain prior permission from the state (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=1553).

Further restrictions on young people and their parents and guardians were introduced in the controversial Parental Responsibility Law, which entered into force in August 2011. Among many other provisions, it bans almost all young people from attending places of worship (see F18News 21 July 2011 http://www.forum18.org/Archive.php?article_id=1595). The state has long been particularly hostile to Islamic religious activity by children, implementing the Parental Responsibility Law mainly against Muslims (see F18News 16 August 2011 http://www.forum18.org/Archive.php?article_id=1602).

The authorities have run nationwide campaigns, with fines and police raids, aiming to stop all Islamic religious education of any kind that does not have state permission (see eg. F18News 28 June 2011 http://www.forum18.org/Archive.php?article_id=1586).

Fined

Meanwhile a Court in Dushanbe in September fined Bahodur Yorboboyev, a Jehovah's Witness, for teaching religion without state authorisation (see below).

Jehovah's Witnesses as an organisation were banned in Tajikistan in October 2007, and have not been able to meet publicly for worship since then (see F18News 18 October 2007 http://www.forum18.org/archive.php?article_id=1036).

Jehovah's Witnesses – like members of other faiths - have been often punished for meeting for unregistered worship in private homes or teaching religion without state permission (see F18News 18 November 2013 http://www.forum18.org/archive.php?article_id=1897).

Why were madrassahs closed?

While they were still operational, children needed to have completed nine years of compulsory education in public schools before they could enter a madrassah to receive an Islamic education.

Sharipov of Sugd Region's Religious Affairs Department told Radio Free Europe's Tajik Service on 12 July that the decision to suspend the activity of the madrassahs was made by the SCRA in Dushanbe at the beginning of July.

The closure of Sugd Region's madrassahs at the beginning of July came at the same time as President Emomali Rahmon warned, in an address to the Heads of Administrations and religious leaders from across Tajikistan, that "extremism and fanaticism is prospering, and moreover terrorism has appeared in society." President Rahmon also claimed that some graduates of religious schools later became terrorists, though he gave no examples.

In his 4 July address - reproduced on the presidential website the same day - President Rahmon insisted that Tajikistan has given "religious rights and freedoms" to its citizens. He pointed to the growth in the number of mosques from 17 in Soviet times to more than 4,000. He also claimed that more than 7,000 students had graduated from various religious schools since independence in 1991.

This is not the first time President Rahmon has made such "terrorism" claims. Prior to the introduction of the harsh Parental Responsibility Law, in August 2010 he announced - in a speech broadcast nationwide - a crackdown on the religious education of children and young people in Tajikistan and abroad (see F18News 2 September 2010 http://www.forum18.org/archive.php?article_id=1483).

"Nothing to do with the President's speech"?

However, Mukhtarov of the SCRA on 3 December adamantly denied to Forum 18 any connection between the enforced closures and the President's July 2013 speech. The closures "had nothing to do with the President's speech, we warned the madrassahs long before that changes would be made to them."

Hikmatullo Sayfullozoda of the Islamic Renaissance Party, an officially registered political party, complained that numerous madrassahs could not gain state registration after the new Religion Law came into force in 2009. He complained that the five registered ones in Sugd Region remain "suspended". "Our political regime wants to control religious education," he insisted to Forum 18 from Dushanbe on 3 December. "It is afraid that the more young people receive Islamic education, the more opponents it will have, and it fears that many of those even could join our Islamic party in the future."

Mukhtarov of the SCRA rejected such suggestions. "It's not true, the only reason we closed down those madrassahs was because they did not submit their documents officially for registration," he told Forum 18. "The five registered madrassahs were suspended in Sugd Region because we needed to bring order to their documents as well."

Will suspended madrassahs ever reopen?

Some parents of children in Sugd complained to Sayfullozoda of the Islamic Renaissance Party that the madrassahs their children attended "in reality were not suspended but closed down, and asked me to write an article in the press", he told Forum 18. He said he could not give the names of parents because they fear state reprisals.

Mukhtarov of the SCRA denied that the Sugd Region madrassahs had been closed down. He insisted that special commissions established by the government, which include the directors of the madrassahs, were working on the changes to their curricula and legal documents which would then allow them to be registered under the Education Ministry. He claimed that the madrassahs would resume their work "as soon as the changes are ready and approved by us".

Mukhtarov did not give details of what precise changes needed to be made to the madrassahs' curricula and documents. He also refused to say how long it would take for the changes to be made. "I cannot give an exact time," he responded.

Why only one madrassah allowed to teach Islam to children?

Abdukhakim Sharipov, Head of Sugd Region's Religious Affairs Department, told Forum 18 from Khujand [Khojand] on 29 November that five of the six madrassahs officially allowed in Tajikistan after the 2009 Religion Law came into force were in his

Region. They were situated in the cities of Istaravshan, Khujand, Kanibadam and Penjikent [Panjakent], as well as Bobojon in Gofurov District.

"Before the new [Religion] Law was adopted, nine madrassahs were functioning in Sugd region, but only six could gain registration," Sharipov told Forum 18 on 29 November. "At the moment the only madrassah in the whole country still allowed to carry on work is the one in the city of Tursunzoda [near the capital Dushanbe]."

Sharipov claimed to Forum 18 that the reason five madrassahs were allowed in Sugd Region is "not because demand for religious education is greater in our region, but because our officials helped the madrassahs to get registered." Asked why madrassahs in other regions were not allowed to operate, he responded: "We are not responsible for other regions."

Asked why numerous madrassahs across Tajikistan were closed down, and now the five registered ones in Sugd were suspended, leaving only one officially existing madrassah, Mukhtarov of the SCRA claimed to Forum 18: "We asked all madrassahs to submit their documents for registration, and we registered only those which did so."

Told that it is also among the SCRA's duties to assist religious communities and believers with legal procedures, and that some of the madrassahs may have had difficulty collecting the necessary documents, Mukhtarov claimed that "We told them in each meeting that we could help them, and they still did not ask us."

Fined for teaching religion without authorisation

The authorities continue to punish individuals for discussing their faith with others, at times accusing them of conducting "illegal" religious education. Some of those punished are members of the country's Jehovah's Witness community.

Judge Sherzod Nizamov of Dushanbe's Ismoily Somoni District Court on 13 September punished Jehovah's Witness Bahodur Yorboboyev under Administrative Code Article 474, Part 1, according to the decision seen by Forum 18. He was fined 8 Financial Indicators or 320 Somonis (400 Norwegian Kroner, 50 Euros or 70 US Dollars).

Article 474, Part 1 punishes "carrying out religious activity without state registration or re-registration of the organisation". Among the activities subject to punishment is "giving religious education without authorisation".

The court decision reveals that the National Security Committee (NSC) secret police brought the case before the Court since it identified that Yorboboyev, a Dushanbe resident, was sharing Jehovah's Witness religious views with another resident Abdukholik Ikromov on 12 September at 9 am on the street in Dushanbe.

The decision notes that "the activity of [Jehovah's Witnesses] in the territory of Tajikistan was closed down according to the Culture Ministry's 11 October 2007 decision No. 11/3". Judge Nizamov claimed that Yorboboyev violated the Religion Law since he "taught religion without State authorisation".

Ismoili Somoni District Court officials – who would not give their names - refused to discuss the case with Forum 18 between 12 and 14 November or to put it through to Judge Nizamov. Called numerous times, court officials told Forum 18 Judge Nizamov was "busy hearing a case" or "busy in a meeting".

United Nations concern

The United Nations (UN) Human Rights Committee expressed its concern about "severe restrictions on freedom of religion" in a report on Tajikistan's compliance with its obligations under the International Covenant on Civil and Political Rights (ICCPR). The Committee adopted its report on 23 July and published it on 22 August (CCPR/C/TJK/CO/2).

The Committee was concerned the "State party enjoys excessive power to control activities of religious associations" and "is particularly concerned at the absolute ban of several religious denominations within the State party, including Jehovah's Witnesses, and certain Muslim and Christian groups". It added: "The State party should reverse its discriminatory refusal to register certain religious denominations."

Also of concern to the UN Committee were restrictions on religious education, particularly under the 2011 Parental Responsibility Law.

The UN Committee expressed concern that "children may receive religious education only from State-licensed religious educational institutions and children below the age of 7 years are denied that right; that all religious education abroad is subject to State permission".

The Committee said the Tajik authorities "should repeal or amend all provisions" of the Religion Law, the Parental Responsibility Law and the Administrative Code "that impose disproportionate restrictions on the rights protected by article 18 of the [ICCPR]".

The ICCPR's Article 18 notes, among other commitments, that: "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

The UN Committee also reminded Tajikistan of its earlier concern about the country's "lack of recognition of the right to conscientious objection to compulsory military service, and at the absence of alternatives to military service". It called for the law to recognise individuals' right to an alternative service. (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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