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TAJIKISTAN: Nine long jail terms – for what?

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

At least nine Muslim men – including an imam and a well-known heart surgeon - are known to have been jailed as prisoners of conscience since August in the northern Sughd Region in three separate cases. All received five years or more jail terms. Officials refused to explain what they had done wrong.

At least nine Muslim prisoners of conscience – including well-known heart surgeon Abdumalik Salomov - are known to have been jailed since August in the northern Sughd Region in three separate cases. All were accused of being adherents of Salafi Islam, a movement banned in Tajikistan. None appears to have called for or committed any violation of the human rights of others. All nine men received prison terms of at least five years.

Only one of the nine jailed Muslim prisoners of conscience is known to have appealed, though the result of that appeal remains unknown. Officials of the lower courts would not tell Forum 18 on 4 December if any of the other eight Muslims had lodged appeals. Sughd Regional Court told Forum 18 the same day that none of the nine has so far lodged any further appeals to the Regional Court.

Meanwhile, the State Committee for Religious Affairs and Regulation of Traditions, Ceremonies and Rituals (SCRA) is conducting a campaign to identify and fire all foreign-educated imams, SCRA and Muslim Board officials have said. The SCRA announced in early November that it had ordered the removal of state-appointed Imam-hatyps who studied in Islamic Universities abroad (see below).

Human rights defenders told Forum 18 that the campaign to fire Imams as well as recent imprisonments are part of state efforts to "root out the Salafi movement and independent Muslim believers from Tajikistan".

The government has long tried to crush independent exercise of the right to freedom of religion or belief, especially by Muslims. It has also long sought to isolate religious communities from their fellow-believers abroad (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=2138).

Jumabek (who refused to give his last name), who introduced himself as the Assistant to Khuseyn Shokirov, Head of the SCRA's Section overseeing work with religious organisations, claimed to Forum 18 from the capital Dushanbe that Shokirov was "not available to talk". Asked about the recent imprisonments and campaign to fire foreign-trained Imams, Jumabek told Forum 18: "You need to come in person to the Committee building. We cannot give such information over the phone."

Non-Muslims also targeted

In Dushanbe, police, National Security Committee (NSC) secret police and SCRA officials raided a Protestant church during a Sunday morning meeting for worship. They initially claimed to have seen the church's foreign-hosted website, but seemed more interested in the children's club and the church's stock of books. The church was subsequently fined (see F18News 5 December 2017 http://www.forum18.org/archive.php?article_id=2337).

Imprisoned Jehovah's Witness conscientious objector Daniil Islamov has failed to overturn his six-month prison term on appeal. On 28 November, the Supreme Court ruled to send his case back to the first instance Court for "correction of mistakes in the decision" (see F18News 5 December 2017 http://www.forum18.org/archive.php?article_id=2337).

Imprisoned Protestant Pastor Bakhrom Kholmatov - jailed for three years for allegedly "singing extremist songs in church and so inciting 'religious hatred'" - has chosen not to appeal further against his prison term (see F18News 5 December 2017 http://www.forum18.org/archive.php?article_id=2337).

Anti-Salafi campaign

The nine Muslim prisoners of conscience jailed in Sughd Region were punished as part of what appears to be a growing state attack

on Sunni Muslims accused of being Salafis. All were convicted and jailed under Criminal Code Article 307-3, Part 2 ("Participation in the activity of political parties, social or religious organisations, or other organisations, liquidated or banned by a court for extremist activity"). Punishments under this Article are prison terms of between five and eight years.

Tajikistan penalises people for their ideas, not their actions. Even though an official admitted to Forum 18 that adherents of the Salafi school of Islamic thought had committed no crimes, on 8 December 2014 the Supreme Court ruled that Salafi Muslims are "extremist". The Court's then-Deputy Chair Makhmudjon Ashurov replied "I cannot tell" when Forum 18 asked what the difference was between this ban on Salafis and a similar 2009 ban. He also refused to state how the authorities will identify a person as a Salafi Muslim. The SCRA's then-Deputy Head Mavlon Mukhtarov claimed to Forum 18 that Salafis are "extremist" because they "attend Tajik Sunni mosques and pray differently, and they also argue with mosque attendees about the teachings of Islam".

Following the December 2014 ban, Supreme Court Chair Khabibullo Amirbekzoda stated that Salafi Muslims would henceforth be prosecuted under Criminal Code Articles 307-1 ("Public calls for extremist activity"), 307-2 ("Organisation of an extremist association") and 307-3 ("Organisation of the activity of political parties, social or religious organisations, or other organisations, liquidated or banned by a court for extremist activity"). Punishments under these articles range between 5 and 12 years in jail (see Forum 18's Tajikistan religious freedom survey http://www.forum18.org/archive.php?article_id=2138).

Imprisoned for meals and religious discussions

Three Muslim prisoners of conscience have been jailed in Khujand in Sugd Region after being accused of participating in the activity of the banned Salafi Muslim movement. The three were convicted under Criminal Code Article 307-3, Part 2 ("Participation in the activity of political parties, social or religious organisations, or other organisations, liquidated or banned by a court for extremist activity").

On 24 November Khujand City Court handed down a five and a half year prison term to Abdumalik Salomov, a 41-year old heart surgeon. Also punished with imprisonment under similar charges were two of his close friends, Ilhom Gafarov and Saydullo Mirzoyev. Gafarov received five and half years, and Mirzoyev five years.

"All Dr Salomov did was get together several times with his friends and have meals with them," human rights defenders, who asked not to be named for fear of state reprisals, told Forum 18 from Tajikistan on 30 November. "He is not a member of the Salafi movement. He is a Muslim believer but not an extremist. He is a heart surgeon who has saved many patients, which is why he is well-known in Tajikistan."

"The authorities could find no evidence of extremism in his activity," human rights defenders added. "So they pressured and intimidated Gafarov and Mirzoyev during pre-trial custody, who agreed to sign the police reports." By doing so, the two "also incriminated themselves".

Salomov's relatives and Lawyer Bakhtiyor Vakhidov told Radio Free Europe's Tajik Service for a 27 November report that Salomov "does not admit that he is guilty, and does not understand why the authorities arrested him".

An unnamed official of Khujand City Court told Radio Free Europe that the three men "participated in religious meetings over pilaf meals, which were organised by Salafi believers of Sugd Region".

Told that Dr Salomov has not been reported as having violated or called for the violation of the human rights of others, and asked why he was imprisoned and what in his actions constituted extremism, Mavjuda Sharifzoda, Chair of Khujand City Court, told Forum 18 on 30 November: "I do not know whether our decision has entered into force, but we are not entitled to give information about our decisions." She then refused to discuss the case further.

Lawyer Vakhidov told Forum 18 on 29 November that "an appeal has to take place, we do not know the date yet, but I cannot give any other details." He then declined to talk to Forum 18.

Why were Salomov and his friends arrested?

Dr Salomov and his two friends were arrested in August. Salomov is a graduate of Tajikistan's Medical University and for many years worked in leading hospitals in Moscow, Russia, where he lived with his family. In 2015 he was invited back to Tajikistan to work in Sugd Regional Hospital of cardio-vascular surgery.

Dr Salomov's surgeon colleagues told Radio Free Europe that his arrest "was an absolute surprise". They said that the doctor "saved the lives of more than a hundred patients with severe heart diseases".

One human rights right defender told Forum 18 that they heard from various sources that Dr Salomov's brothers are "successful businessmen" and that the NSC secret police "demanded that they pay them huge sums as bribes, which they refused to do." The human rights right defender said that this could be one reason why he was arrested.

Imam and four Mosque members imprisoned

Just days earlier elsewhere in Sugd Region, Guliston City Court convicted a local imam and four mosque members under the same Criminal Code Article 307-3, Part 2 ("Participation in the activity of political parties, social or religious organisations, or other organisations, liquidated or banned by a court for extremist activity").

On 20 November Judge Nargis Yodgori handed down five and a half-year prison terms to 42-year old Imam Ilkhomidin Abdulloyev of the Mosque of Chorrukh-Dorun village in a suburb of Guliston. The Judge handed the same prison terms to four members of the Mosque community, one of whom is named Kasymov.

Imam Abdulloyev and the other four men were arrested in September. They were held until their trial in Khujand's Investigation Prison No. 1.

Nargis Berdiyeva, Secretary of the Head of Chorrukh-Dorun village Administration, noted that Abdulloyev had graduated from Kuwait Islamic University. "Together with his four co-believers, he propagated among other Mosque members the ideas of the banned Salafi movement," she claimed to Radio Free Europe on 10 October.

Human rights defender Faiziniso Vakhidova insists that Imam Abdulloyev is "not an extremist at all, but a very peaceful believer. I know him very well, since in one civil case, some years ago, I represented him in court," she told Forum 18 on 30 November.

Vakhidova said Imam Abdulloyev was a disciple of Imam Sulaymon Boltuyev, who was imprisoned earlier under similar extremism charges. "Imam Abdulloyev may have been arrested for that reason."

Judge Yodgori told Forum 18 on 1 December that one of the defendants, Kasymov, appealed against her decision. She refused to give his first name, or the names of the other three defendants. Told that Imam Abdulloyev is not known to have violated or called for the violation of the human rights of others, and asked what constituted "extremism" in the actions of the Imam and his four co-believers, Judge Yodgori asked Forum 18 to send questions in writing. She declined to talk further.

Boltuyev, Imam of the cathedral Mosque in Guliston, was among seven Imams from Sugd Region arrested in March 2016 (see F18News 19 May 2016 http://www.forum18.org/archive.php?article_id=2180). Six of the seven had studied Islam in Medina in Saudi Arabia.

Bobojon-Gofurov District Court sentenced all seven Imams in June 2016 to between three years and three years and four months' imprisonment in strict regime labour camps.

Another "extremist" imprisoned in Sugd

The two trials came three months after another trial in Sugd Region that saw another Muslim imprisoned on the same charges. Judge Boirjon Zoirzoda of Bobojon-Gofurov District Court of Sugd Region in late August gave a five-year prison term to 32-year old resident of the district, Ubaydullo Sharipov, Asiplus reported on 24 August.

Sharipov too was convicted under Criminal Code Article 307-3, Part 2 ("Participation in the activity of political parties, social or religious organisations, or other organisations, liquidated or banned by a court for extremist activity"). Sharipov will serve his sentence in a minimum security prison.

Judge Zoirzoda told the news agency that Sharipov was arrested for "extremist activity" and for "being a member of the Salafi movement". The Judge added that the NSC secret police arrested Sharipov in May. "We revealed that the convict became a member of the Salafi movement in 2014 and up until his arrest he propagated Salafi teachings."

Asked why Sharipov was given a prison term simply on claims of being a member of the Salafi movement, Judge Zoirzoda refused to explain. "You are wrong," he told Forum 18 on 29 November. Asked what exactly Sharipov did which could be qualified as an act of extremism, he refused to respond. "I cannot say that on the phone." He then declined to talk further to Forum 18 and put the phone down.

Foreign-trained imams face dismissal

Officials are justifying the State Committee campaign to identify and remove foreign-trained imams as a move to tackle "extremism". However, almost all foreign-trained clergy appear to be targeted. "A State Committee investigation is underway to reveal Imams with foreign education who have extremist views," a Muslim Board official, who refused to give his name, told Forum 18 from Dushanbe on 29 November. "So far we have not fired anyone."

The campaign was first announced in early November. Avshin Mukim, SCRA Press Secretary, told local news agency Asiplus on 3

November that "graduates of foreign universities used mosque podiums for their criminal propaganda". He gave no evidence for his claims.

However, Mukim was quick to add that the Chair of the country's state-sponsored Muslim Board, Saidmukarram Abdukodirzoda, will "not lose his position". Abdukodirzoda, who became Chair of the Muslim Board in 2010, graduated from Islamabad's International Islamic University in Pakistan.

Abdukodirzoda told Asiaplus that he is "ready to leave his position, if that will be the demand of the State." (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=2138.

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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