

THE EUROPEAN ASSOCIATION OF JEHOVAH'S CHRISTIAN WITNESSES

IBSA House, The Ridgeway, London NW7 1RN, United Kingdom

Telephone: 020 8906 2211 (+ 44 20 8906 2211)

Fax: 020 8906 3938 (+ 44 20 8906 3938)

Religious Freedom Subcommittee:

BELGIUM

Marcel Gillet
Chairman
Louis De Wit
Marc Hansen
MC Members
David Danthine
Andreas Psarros
Luca Toffoli
Rue D'Argile 60
B-1950 Kraainem
Tel: + 32 2 7820015
Fax: + 32 2 7820592

AUSTRIA

Reinhard Kohlhofer
Rechtsanwalt
Fasangartengasse 35
A-1130 Wien
Tel: + 43 1 8022291
Fax: + 43 1 802229114

FRANCE

Patrick Garnier
2 rue Saint Hildevert
27400 Louviers
Tel: + 33 2 32 25 55 55

GEORGIA

Genadi Gudadze
Tbilisi 380082
Varketili – Zemo Plato
House 4, Apartment 52
Tel: + 99532 761833

GERMANY

Uwe W. Herrmann
Am Steinfels
D-65618 Selters
Tel: + 49 6483 41 2888
Fax: + 49 6483 41 2860

GREECE

George Yiannoulas
77 Kifisias Ave
Marousi 151 24
Athens
Tel: + 30 210 6197630
Fax: + 30 210 6101430

ITALY

Daniele Gabriele
Via della Bufalotta 1281
I-00138 Rome RM
Tel: + 39 06 87 29 41
Fax: + 39 06 87 12 02 86

POLAND

Michał Horszowski
ul. Warszawska 14
05-830 Nadarzyn
Tel: + 48 22 739 18 27
Fax: + 48 22 739 19 97

PORTUGAL

João Pedro Barreto Ferreira Candeias
Rua Conde Barão, No. 511
2649-513 Alcabideche
Tel: + 351 214 690 600
Fax: + 351 214 692 099

ROMANIA

Dumitru Oul
84 Teleajen Street
73217 sector 2, Bucharest
Tel: + 40 1 3027418; + 40 9 4331154

RUSSIA

Vasilij Mikhaylovich Kalin
p. Solnechnoye ul. Srednyaya 6
197739 St Petersburg
Tel: + 7 812 434 38 50
Fax: + 7 812 437 09 70

SPAIN

Julio Ricote Garrido
Abogado
c/ Ercilla 23, 5º-A. 28005 Madrid
Tel: + 34 91517 2444
Fax: + 34 91517 3530

SWITZERLAND

Jean-Jules Guilloud
Ulmenweg 45
CH-3602 Thun
Tel: + 41 33 33 46 111
Fax: + 41 33 33 46 161

UNITED KINGDOM

David J. Carpenter
Secretary
Tony Brace
Richard Cook
Paul Gillies
Pebinder Singh

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From The European Association
of Jehovah's Christian Witnesses

Contribution to the Report of the U.N. High
Commissioner for Human Rights on the
implementation of the new review mechanism of the
Human Rights Council, established by GA Resolution
60/251 and by the Human Rights Council in Resolution
5/1 of 18 June 2007 for the 12th session 2011 of the UPR
(Dates of the WG: October 2011).

TAJIKISTAN

Marcel Gillet

Chairman of the Religious Freedom Subcommittee

Contact address: Rue d'Argile 60, 1950 Kraainem, Belgium
Tel.: ++ 32-2-782 00 15 - Fax: ++ 32-2-782 05 92 - E-mail: JWitnesses@skynet.be
Contact in Geneva: Jean-Jules Guilloud: ++ 33 33 46 516
Contact in New-York: Philip Brumley: ++ 914 878 7000

JEHOVAH'S WITNESSES—TAJIKISTAN

January 1, 2010 to December 31, 2010

BACKGROUND

The Religious Community of Jehovah's Witnesses in Dushanbe was first registered in Tajikistan in 1994 and was reregistered on January 15, 1997. However, on October 11, 2007, the Ministry of Culture banned the activities of Jehovah's Witnesses in Tajikistan. Jehovah's Witnesses appealed that decision up to the Supreme Court, however in vain. Religious freedom for Jehovah's Witnesses in Tajikistan has severely deteriorated during this reporting period. False accusations and prejudices have been raised against their Christian community despite the fact that Jehovah's Witnesses are known all over the world as peaceful citizens. Their teaching based on Holy Scriptures shows that God is love. They display that marvelous quality of love in their religious service and relationships with others.

RESTRICTIONS ON RELIGIOUS FREEDOM

2009-Present	Nationwide	Denial of Registration
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On March 26, 2009, the 1994 RT Religion Law was repealed and replaced by the RT *Law on Freedom of Conscience and Religious Associations* (2009 RT Religion Law). Article 4(1) of that new law guarantees the right "to freely choose, disseminate and change religious or other beliefs, as well as to act in harmony with them." Article 4(9) guarantees the right "to engage in large scale preaching activities." On August 28, 2009, an international delegation of Jehovah's Witnesses met with the Ministry of Culture to discuss the future prospects of legally registering their religious activity. Representatives of the Ministry of Culture informed the delegation that, due to the above-mentioned decision, the Ministry would never register Jehovah's Witnesses under the new law on religion unless the banning decision is overturned by a higher authority. On January 18, 2010 the Ministry of Culture denied to re-register the Religious Community of Jehovah's Witnesses in Dushanbe. Jehovah's Witnesses appealed that denial to the Economical Court but also to no avail.

On **December 16, 2010**, the Cassation collegium of the Highest Economical Court denied the appeal for re-registration. A supervisory appeal could still be filed to the Supervisory Collegium of the Highest Economical Court.

In **January 2011** Jehovah's Witnesses had a meeting with the Chairman of the State Committee of Religious Affairs of Tajikistan¹ Mr. Abdurahim Holikov. At the meeting Mr. Holikov mentioned the last Highest Economical Court decision and suggested to address the issue of registration of Jehovah's Witnesses one year later. Jehovah's Witnesses hope through the continued constructive dialogue with the authorities to find a solution of the registration issue earlier.

ABUSES OF RELIGIOUS FREEDOM

The loss of religious registration has had a serious negative impact on Jehovah's Witnesses in Tajikistan. Without registration, they may face criminal prosecutions and imprisonment.

¹ According to the Presidential Decree of March 9, 2010 the State Committee of Religious Affairs was founded. All religious issues including registration of religious organizations were transferred to this Committee from the Ministry of Culture.

2009-Present	Khujand	Raid on Religious Meetings/Criminal Charges
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Events Leading Up to Criminal Case Against Jehovah's Witnesses in Khujand

- On June 4, 2009, a small group of Jehovah's Witnesses met together in a private home in Khujand (northern Tajikistan) to discuss Bible subjects. Eleven local officials forced their way into the apartment and began filming those inside. Several in the group were taken to State Committee for National Security (SCNS) headquarters where they were questioned for the next six hours. One female Witness in the group was registered as a disabled person due to a recent head injury. Nevertheless, she was threatened with beatings and confinement for 10 days if she failed to answer the CNS's questions. She was released nine hours later when the threats and abuse began to have a noticeable effect on her health.
- In Khujand on the morning of June 8, 2009, Zafar Rakhimov, one of Jehovah's Witnesses who was not even present at the meeting on June 4, was summoned to the office of the Sughd District Committee for National Security (CNS). At the CNS office, Rakhimov was insulted by the chief officer, who accused him and his family of religious extremism and of inciting interdenominational conflict. The interrogation quickly deteriorated when Rakhimov refused to write a statement. Enraged at the refusal, a second officer punched Rakhimov in the head and stomach and threatened him. The other 16 Witnesses involved were also repeatedly interrogated.

After the OSCE HDIM (Human Dimension Implementation Meeting) meeting in September 2009, where Zafar Rakhimov made a statement about the illegal criminal charges in Khujand, the Ombudsman's office and the General Prosecutor's office in Dushanbe interfered and on October 27, 2009, the Khujand prosecutor discontinued all 17 criminal cases. The 17 Jehovah's Witnesses were summoned to the Khujand City Court on **April 21, 2010**, and were charged under Article 474 of the *Code of Administrative Violations*. They face fines of 245 to 350 Tajikistan Somonis (\$55 to \$80 USD), which is a substantial portion of their monthly wages.

However, on **May 6, 2010**, the Khujand prosecutor reinstated the criminal case against all 17 Witnesses under Article 189 of the RT *Criminal Code*. The prosecutor also requested that the RT State Committee of Religious Affairs conduct an expert study on the religious literature of Jehovah's Witnesses to determine if it incites "religious hostility." One local expert study concluded it did while the second concluded it did not.

RELIGIOUS FREEDOM OBJECTIVES

Jehovah's Witnesses call upon the government of Tajikistan to:

- (1) Recognize the national Christian association of Jehovah's Witnesses in Tajikistan.
- (2) Stop the criminal cases against the 17 Jehovah's Witnesses in Khujand.
- (3) Discontinue unlawful and unwarranted searches for religious literature in private homes; and cease interrogating individuals possessing religious literature.
- (4) To continue a transparent and constructive dialogue with Jehovah's Witnesses.