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**From the European Association of Jehovah’s Witnesses**

**Submission to the UN Human Rights Committee**

**TAJIKISTAN**

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| SUMMARY OF THE SUBMISSION This submission to the UN Human Rights Committee (the Committee) highlights violations of the provisions of the International Covenant on Civil and Political Rights (ICCPR) that were included in the *Concluding observations on the second periodic report of Tajikistan* (CCPR/C/TJK/CO/2) and the *List of issues in relation to the 3rd report of Tajikistan* (CCPR/C/TJK/Q/3).  On 11 October 2007, the Ministry of Culture banned the activity of The Religious Association of Jehovah’s Witnesses in Dushanbe (the Religious Organisation) and since then considers their religious activity to be illegal. As a result, Jehovah’s Witnesses contend with violations of basic religious freedoms, namely:   * Police disruption of religious services * Police interference with public manifestation of belief * Government denial of registration * Government refusal of the right to conscientious objection to military service, an issue that the Committee has already raised in its 2005 and 2013 reports   On 26 February 2019, police arrested and imprisoned 68-year-old Shamil Khakimov, who was one of several of Jehovah’s Witnesses who had been targeted by police in Khujand. If convicted, he could face 5 to 10 year’s imprisonment.  Jehovah’s Witnesses in Tajikistan, and as a worldwide organisation, respectfully request the government of Tajikistan to:   1. Immediately release Mr. Shamil Khakimov, who is unjustly imprisoned for his religious beliefs. 2. Immediately grant re-registration to their national organisation, in harmony with the August 2013 Concluding Observations of the UN Human Rights Committee.[[1]](#footnote-1) 3. Respect the rights of conscientious [objectors to military service](https://www.jw.org/en/jehovahs-witnesses/faq/why-dont-you-go-to-war/) as clearly established by the UN Working Group on Arbitrary Detention[[2]](#footnote-2) and the Committee.[[3]](#footnote-3)[[4]](#footnote-4)      1. Stop undue harassment of their community and abide by its commitment to uphold the fundamental freedoms guaranteed by the Constitution of Tajikistan and the ICCPR for all citizens, including Jehovah’s Witnesses. |

# I. INTRODUCTION

* 1. The European Association of Jehovah’s Witnesses is a charity registered in the United Kingdom. It assists the adherents of the faith of Jehovah’s Witnesses in various areas of the world.
  2. Jehovah’s Witnesses have been in Tajikistan for more than 50 years. They were legally registered in 1994 and re-registered on 15 January 1997. However, on 11 October 2007, the Ministry of Culture banned the activities of the Religious Organisation. Numerous efforts to resolve this situation through dialogue with Tajik authorities remain unsuccessful.
  3. This submission provides additional information concerning theList of issues in relation to the third periodic report of Tajikistan (CCPR/C/TJK/Q/3). It predominantly focuses on the rights protected under Article 9, Article 18, paragraphs 1 and 3, and Article 22, paragraphs 1 and 2.
  4. These violations relate in large part to the October 2007 banning decision and the serious adverse effect that decision has had on individual Witnesses. All domestic appeals challenging that decision were rejected. Since all domestic remedies have been exhausted, a complaint was filed with the Committee on 7 September 2012.[[5]](#footnote-5)
  5. The Committee addressed the ban of the Religious Organisation in its August 2013 Concluding Observations (CCPR/C/TJK/CO/2), para. 20:

“The Committee 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.”

The Committee urged Tajikistan to:

“… [R]epeal or amend all provisions of the above-mentioned laws that impose disproportionate restrictions on the rights protected by article 18 of the Covenant. The State party should reverse its discriminatory refusal to register certain religious denominations.”

* 1. The Committee has raised this issue again in theList of issues in relation to the third periodic report of Tajikistan (CCPR/C/TJK/Q/3), para. 19:

“In connection with the previous concluding observations (para. 20), please report on the measures taken to repeal . . . (a) the strict and compulsory registration of religious organizations and criminalization of unregistered religious activities; (b) restrictions on places of worship . . . (f) State control over the content, publication and importation of religious materials. . . . Please also respond to reports of: (a) denial of re-registration of Jehovah’s Witnesses and harassment of its members by law enforcement officers for practising religion as an unregistered organization.”

* 1. This submission also addresses the issue of conscientious objection to military service, which was previously raised at paragraph 23 of the List of issues to be taken up in connection with the consideration of the second periodic report of Tajikistan (CCPR/C/TJK/Q/2) and which was one of the “reasons” given by the Ministry of Culture for banning Jehovah’s Witnesses on 11 October 2007. The Committee has again raised this issue at paragraph 20 of the List of Issues to be taken up in connection with the consideration of the third periodic report of Tajikistan (CCPR/C/TJK/Q/3).
  2. Paragraph 23 of the 2013 List of Issues states:

“Please provide information on the status of the implementation of the Committee’s previous concluding observations on the lack of recognition of conscientious objection to compulsory military service.”

* 1. In its 2013 Concluding Observations, para. 21,the Committee stated:

“The Committee reiterates its previous concern (CPR/CO/84/TJK, para. 20) about the State party’s lack of recognition of the right to conscientious objection to compulsory military service, and at the absence of alternatives to military service (art. 18).

**The State party should take necessary measures to ensure that the law recognizes the right of individuals to exercise conscientious objection to compulsory military service, and establish, if it so wishes, non-punitive alternatives to military service.”**

* 1. Paragraph 20 of the 2018 List of Issues states:

“Please report on the status of draft amendments to the Universal Military Obligations and Military Service Act aimed at introducing alternative military service (CCPR/C/TJK/3, para. 91) and on the progress made in implementing the Committee’s previous recommendation (para. 21) on ensuring the recognition of the right to conscientious objection to compulsory military service.”

# II. ISSUES:

## A. BANNING OF THE ACTIVITIES OF JEHOVAH’S WITNESSES (VIOLATIONS OF ARTICLES 18 AND 22)

* 1. In 1994 the Religious Organisation was granted registration under the Republic of Tajikistan Law on Religion and Religious Organisations of 8 December 1994 (the 1994 Religion Law) by the former Religious Affairs Committee of the Government of the Republic of Tajikistan.
  2. On 15 January 1997, the Religious Organisation was re-registered with national status under amendments to the 1994 Religion Law.

### Nationwide ban on Jehovah’s Witnesses

* 1. In April and May 2007, directed by the State Committee on National Security (SCNS) and Tajikistan’s Ministry of Culture, Tajikistan customs authorities seized two shipments of Bibles and religious literature imported by Jehovah’s Witnesses.
  2. On 11 October 2007, the Ministry of Culture terminated the activity of the Religious Organisation, claiming that Jehovah’s Witnesses violated domestic legislation “by distributing in public places and at the homes of citizens . . . propagandistic books on their religion, which has become a cause of discontent on the part of the people.”[[6]](#footnote-6)
  3. The Religious Organisation filed a claim with the civil court in Dushanbe, challenging the decision of the Ministry of Culture to terminate the Religious Organisation and the seizure of the two shipments of religious literature. The civil court transferred the case to the military court because the SCNS was a party to the proceedings. (This in itself constitutes a violation of the Covenant, Article 14, as confirmed in communication No. 1172/2003, *Abbassi Madani v. Algeria*, Views adopted on 28 March 2007, para. 8.7.)
  4. On 29 September 2008, the Dushanbe Military Court dismissed the claim, concluding that the decision of the Ministry of Culture was justified because: (1) individual Jehovah’s Witnesses requested “the provision of a civil alternative service” in substitution for military service; (2) Jehovah’s Witnesses were distributing religious literature “in public places, houses, and streets . . . that had the nature of inciting fanaticism and extremism;” and (3) the activity of Jehovah’s Witnesses “may become a cause for fanning religious and denominational antagonism.”[[7]](#footnote-7) The Religious Organisation appealed.
  5. On 12 February 2009, the Military Collegium of the Supreme Court affirmed the decision of the trial court. The Religious Organisation filed a supervisory appeal to the Presidium of the Supreme Court, as permitted by law.
  6. On 17 February 2010, a single judge of the Supervisory Collegium of the Supreme Court ruled that the supervisory appeal would not be referred to the Presidium of the Supreme Court for proceedings, reasoning that there were no errors in the decisions of the lower courts.

### Refusal to reinstate registration

* 1. Meanwhile, on 26 March 2009, the 1994 Religion Law was repealed and replaced by the “Law on Freedom of Conscience and Religious Associations” (the 2009 Religion Law). Article 4(1) 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.”
  2. Article 33(3) of the 2009 Religion Law required all religious organisations to submit an application for re-registration by 1 January 2010. Jehovah’s Witnesses applied for re-registration on 1 December 2009.
  3. On 18 January 2010, the Ministry of Culture (now the State Committee of Religious Affairs (CRA)) denied the application, stating that the Religious Organisation had no right to apply for re-registration because the Ministry of Culture had banned its activity on 11 October 2007. Jehovah’s Witnesses appealed.
  4. On 23 August 2010, the Dushanbe Economic Court dismissed the appeal. Further appeals were dismissed by the Dushanbe Economic Court (Appeals Instance) on 27 October 2010, by the High Economic Court on 16 December 2010, and by the Presidium of the High Economic Court on 12 July 2011.
  5. On 29 March 2012, the Constitutional Court rejected an application by Jehovah’s Witnesses requesting the Court to rule that the 11 October 2007 decision of the Ministry of Culture banning Jehovah’s Witnesses was based on a legal provision that violated the Constitution of Tajikistan and that was later remedied by the 2009 Religion Law (that a decision to liquidate a religious organisation can only be issued either by the entity itself or by a court).
  6. After exhausting all domestic remedies, Jehovah’s Witnesses filed a complaint with the UN Human Rights Committee on 7 September 2012. The complaint addresses both the October 2007 banning decision and the denial of re-registration. (Communication No. 2483/2014, *The Religious Association of Jehovah’s Witnesses of Dushanbe et al v. Tajikistan*).
  7. Jehovah’s Witnesses have filed for registration numerous times since October 2007. The CRA has denied each application on technicalities, most recently in October 2014.
  8. At the 2015 OSCE HDIM conference, the Tajikistan delegation stated publicly that Jehovah’s Witnesses had not fully exhausted domestic remedies to appeal the deregistration decision.
  9. On 25 February 2016, in response to the direction given by the Tajik authorities, the Witnesses filed an appeal of the deregistration decision with the chairman of the Supreme Court.
  10. On 31 March 2016, the Supreme Court informed the Witnesses that the chairman of the Supreme Court had rejected the appeal.

## B. CONSCIENTIOUS OBJECTION TO MILITARY SERVICE (VIOLATIONS OF ARTICLES 9 AND 18)

* 1. The UN Human Rights Committee has twice addressed the issue of conscientious objection to military service in Tajikistan, in 2005 and 2013.[[8]](#footnote-8) The Committee strongly recommended that Tajikistan recognise the right to conscientious objection, but the government has failed to do so. The State submitted a report to the Committee dated 29 November 2017, stating, “Appropriate draft amendments have been prepared and are being considered by the Government.” (CCPR/C/TJK/3, para. 91) However, there is no indication that this is the case. To the contrary, there has been no visible progress on this issue, an issue that affects young Witnesses who are conscientious objectors. This is illustrated in the following documented case concerning Daniil Islamov.

### Case of conscientious objector Daniil Islamov

* 1. Daniil Ruslanovich Islamov was born in Dushanbe on 31 January 1999. In April 2017, he received his military call-up. In compliance with the summons, Mr. Islamov appeared at the enlistment office on 22 April 2017. He informed the military officials that his religious conscience did not permit him to perform military service and explained that he would be willing to perform alternative civilian service. The Military Commissariat rejected Mr. Islamov’s offer, stating that no alternative civilian service was available in Tajikistan. On that same day, 22 April 2017, Mr. Islamov was arrested, transferred to a military prison and placed in detention without a court hearing or trial.

Daniil Islamov

* 1. On 31 July 2017, Mr. Islamov was charged under article 376(1) of the Criminal Code of Tajikistan for evading military service. He remained in military detention, where officers repeatedly tried to force him to take the military oath and to put on a military uniform. But Mr. Islamov refused to do so.
  2. On 5 October 2017, the UN Working Group on Arbitrary Detention (WGAD) released its written opinion.[[9]](#footnote-9) The opinion concluded that Tajikistan was guilty of arbitrarily detaining Mr. Islamov and had deprived him of his rights under Article 9 of the Universal Declaration of Human Rights and Articles 9 and 18 of the ICCPR. The opinion further noted that Mr. Islamov was “a victim of discrimination on the basis of his religious belief.” The WGAD urged the government to “take the steps necessary to remedy the situation of Mr. Islamov without delay” and to “release Mr. Islamov immediately.”[[10]](#footnote-10)
  3. On 13 October 2017, the military court disregarded the WGAD’s clear directive and Tajikistan’s own law by convicting Mr Islamov of “evasion by an enlisted serviceman of fulfilment of military service obligations” under Article 376(1) of the Criminal Code of the Republic of Tajikistan. He was sentenced to six months in prison despite the fact that he never enlisted in the military, took the military oath or put on a uniform.
  4. On 11 January 2018, the Military Collegium of the Supreme Court of Tajikistan unilaterally rejected Daniil Islamov’s appeal for acquittal and release from prison. The hearing was conducted in a closed court. The Supreme Court upheld Mr. Islamov’s conviction on the false charge of evading military service.
  5. On 17 February 2018, Mr. Islamov was transferred from the prison in Kurgan-Tube to the Yavans’s Prison.
  6. On 20 February 2018, as a last domestic remedy before calling on the UN Human Rights Committee, Mr. Islamov’s attorney filed an appeal for supervisory review with the Presidium of the Supreme Court of Tajikistan.
  7. On 13 April 2018, Mr. Islamov was released after having served his sentence in full.
  8. On 24 January 2019, Mr. Islamov filed a complaint with the UN Human Rights Committee.

## C. POLICE HARASSMENT (VIOLATIONS OF ARTICLE 18)

* 1. Because Jehovah’s Witnesses are unregistered, authorities harass them for practicing their faith. The following paragraphs recount some of the incidents that have occurred during the last three years.

### Imprisonment of Shamil Khakimov

* 1. **Khujand.** From the end of January to March 2019, officers of the Police Department of Organized Crime Control (DOCC) targeted 24 of Jehovah’s Witnesses in Khujand and nearby areas and interrogated most of them. The interrogations lasted from 20 minutes to 14 hours. The DOCC officers confiscated cell phones and passports and demanded that some of the Witnesses fill out a questionnaire about their beliefs. The last item on the questionnaire asked that each confirm that the police had not beaten them. The officers searched seven homes of Witnesses and confiscated personal Bibles, tablets, and computers. After two days of intense interrogations, one young female Witness had a nervous stroke. She could not speak or walk and had to be taken by ambulance from the police station to the hospital.
  2. On 1 February 2019, police summoned to the station Mr. Shamil Khakimov, who was one of the 24 Witnesses targeted in Khujand. Mr. Khakimov is a 68-year-old widower, who suffers from high blood pressure and recently underwent major leg surgery. Police searched him and interrogated him about his personal history, how he became one of Jehovah’s Witness, and how Jehovah’s Witnesses structure their organisation. Mr. Khakimov was detained for eight hours and was not allowed medical aid to attend to his post-surgical dressing. The police then took him home where they seized his laptop, tablet, Bible, and several religious books and brochures, as well as his passport. Without his passport Mr. Khakimov was not able to access funds from his pension to continue necessary medical treatment.

Shamil Khakimov

* 1. On 26 February 2019, police again summoned Mr. Khakimov to the station. Authorities detained him and initiated charges of ‘inciting religious hatred,’ under Article 189 (2) of the Criminal Code of the Republic of Tajikistan. The court approved his arrest and detention for two months on 28 February 2019. On 12 March 2019, the appeal court upheld his arrest and pre-trial detention. On 22 April 2019, the investigator filed a motion to extend the term of Mr. Khakimov’s arrest. On 23 April 2019, the court decided to extend the term of his arrest, without notifying Mr. Khakimov’s attorney about that court hearing. On 26 April 2019 a cassation appeal was filed and on 29 April the extension of the arrest until 26 May was left unchanged. If convicted, he could face 5 to 10 years of imprisonment.
  2. Further DOCC actions subsequent to the interrogations in Khujand strongly suggest that other Witnesses will be criminally charged for allegedly inciting religious hatred.

### Other incidents of police harassment

* 1. **Dushanbe.** On 5 October 2018, the State National Security Services (SNSS) detained a group of 18 Witnesses (including minors), who were leaving a private home after they concluded a religious service. The police released eight young women but detained the rest of the group, comprised of both men and women, for questioning. One of the persons detained was a Russian citizen. The SNSS threatened to deport him for alleged “unlawful religious activity” and to recommend to the Russian authorities that he be criminally prosecuted for extremism. After detaining the group for many hours, the SNSS released all ten late in the day and threatened that soon they would be charged and prosecuted under the Code of Administrative Violations. The Russian citizen, who had been living in Tajikistan on the basis of a valid residence permit since July 2017, was administratively convicted under article 499(1) of the Code of Administrative Violations of the Republic of Tajikistan (CAV) and deported from Tajikistan for participating in a peaceful religious service.
  2. **Buston, a settlement near Khujand.** On 21 October 2018, male and female Witnesses, were taken to the police station while they were peacefully sharing their beliefs with a neighbor. They were interrogated for five hours. During the interrogation, they were threatened that they would be arrested for ten days, pressured, shoved to the wall and even disallowed use of the toilet. After their relative brought their passports to the police station, they were photographed and released. Both victims decided not to file a complaint against the actions of the police officers.
  3. **Khujand.** On 21 January 2018, authorities summoned a male Witness to the Khujand police station for interrogation, allegedly concerned a missing person. However, once he was at the station, the police officers asked few questions about the missing person. During the four-hour interrogation, police officer Husrav Usupov beat the Witness so severely that he suffered a concussion. After the police released him, his wife took him to the hospital for medical treatment. However, a police officer followed them and pressured the hospital staff not to provide medical test results and compelled the doctor to write a false statement denying the injuries. The man’s wife filed complaints with the Prosecutor’s Office concerning the beatings. On 1 February 2018, the chief of the Police Department and the chief of the Criminal Investigation Department summoned both man and wife for interrogation. The police ordered the couple to write a statement, declaring that they are Jehovah’s Witnesses. Fearing for their safety, they moved to another city.
  4. **Gafurov, a settlement near Khujand.** During the last week of January 2018, police summoned and interrogated more than 10 of Jehovah’s Witnesses, male and female. The police officers were mostly interested in obtaining the names and contact information of other Witnesses, especially those thought to have responsibility in the organisation. At least eight of these Witnesses were pressured, threatened, and beaten for becoming Christians. The police demanded that the Witnesses renounce their faith.
  5. The Witnesses filed complaints with the district Prosecutor’s Office in Gafurov. However, the Prosecutor’s Office forced the Witnesses to delete portions of their complaints that stated the police had subjected them to religious persecution for their beliefs. On 12 February 2018, the Gafurov District Prosecutor’s Office responded to the complaints and stated that the police had not committed any violations.
  6. **Dushanbe.** On 19 November 2017, police approached two female Witnesses while they were peacefully sharing their beliefs with a neighbor. The police took both women to the station, ridiculed them and demanded their cell phone numbers. Both women were later released. The next day, police summoned the husband of one of the women to the station and derided him for his beliefs.
  7. **Khujand.** On 3 May 2016, a group of 86 of Jehovah’s Witnesses, including minor children, were peacefully gathered for a religious meeting at a rented cafe. At the conclusion of the meeting, National Security Committee officers, local police, and representatives of the CRA raided the meeting place and made a video recording of all in attendance. The officers were aggressive and rude. They questioned those in attendance, searched their belongings, assaulted some of the Witnesses, and even severely beat one female Witness. After two hours, the attendees were allowed to leave.
  8. On 18 May 2016, two of the victims were found guilty under Article 474-1, par.  3, of the Administrative Code of the Republic of Tajikistan (illegal production of religious literature) and were each fined 280 Tajikistani Somonis (TJS) (31 euros (EUR)). The victims filed a cassation appeal. When their appeal was denied on 10 August 2016, they filed a supervisory appeal with the court of the Sughd Region. On 2 March 2017, the supervisory appeal was also denied. The victims decided not to further appeal the case.
  9. **Tursun-Zade (Regar).** On 6 March 2016, police officers raided a religious meeting of Jehovah’s Witnesses held in a private home. The officers arrested all of the 30 individuals in attendance and detained them for six hours. During the interrogation, the officers beat, threatened, and assaulted many of the attendees, including minor children. Some of the male Witnesses were tortured with Tasers. When one of the victims lost consciousness, the police called the Emergency Medical Service (EMS). The EMS administered treatment, but the police paid them TJS 150 (EUR 17) and asked them not to record any of the injuries. The police purposefully inflicted blows so as to leave minimum visual indicators. Those who were beaten sought medical attention and took photographs of their injuries.
  10. The victims filed a complaint with the Ministry of Internal Affairs (MIA), the General Prosecutor’s Office and the Ombudsman. The MIA investigated the incident. Subsequently, the police officers apologized to the victims, and the Witnesses withdrew their complaint.
  11. Nevertheless, authorities initiated administrative cases against two of the Witnesses. Because of the lack of necessary documents, the judge later returned all the case documentation to the Department of Religious Affairs (DRA). Meanwhile, the bailiffs contacted the two Witnesses and demanded that they pay the fines. On 13 October 2016, the Witnesses filed a complaint against the DRA, without result. Both victims were forced to pay the fines and decided not to further appeal the case.

## D. Restrictive Amendments to the Religion Law

* 1. On 10 January 2018, new restrictive amendments to the law on Freedom of Conscience and Religious Associations were enacted, which increased State control of religion and transferred some authority from the Ministry of Justice to the CRA. The CRA now has the right to register religious associations, control their activities, collect financial and other data, and adopt bills that can restrict (or expand) a religious association’s activity. Part 7 of Article 4 was amended with additional criteria, allowing the State to restrict religious freedom for the purpose of “constitutional order, defense of the country, and territorial integrity of the republic.”

# III. CONCLUSIONS AND RECOMMENDATIONS

* 1. Jehovah’s Witnesses are concerned about the serious human rights violations that are being committed with impunity. They respectfully request the government of Tajikistan to:

1. Immediately release Mr. Shamil Khakimov who is unjustly imprisoned for his religious beliefs;
2. Immediately grant re-registration to their national organisation, in harmony with the August 2013 Concluding Observations of the UN Human Rights Committee;
3. Respect the rights of conscientious [objectors to military service](https://www.jw.org/en/jehovahs-witnesses/faq/why-dont-you-go-to-war/), as clearly established by the UN Working Group on Arbitrary Detention and the UN Human Rights Committee; and
4. Stop undue harassment of their community and abide by its commitment to uphold the fundamental freedoms guaranteed by the Constitution of Tajikistan and the ICCPR for all citizens, including Jehovah’s Witnesses.

1. Human Rights Committee, Concluding Observations: Tajikistan, CCPR/C/TJK/CO/2, 22 August 2013, para. 20 [↑](#footnote-ref-1)
2. Human Rights Council, Working Group on Arbitrary Detention,Opinion No. 43/2017 concerning Daniil Islamov (Tajikistan), A/HRC/WGAD/2017/43, 5 October 2017, paras. 34-36 [↑](#footnote-ref-2)
3. Human Rights Committee, Concluding Observations: Tajikistan,  CCPR/CO/84/TJK, 18 July 2005, para. 20 [↑](#footnote-ref-3)
4. Human Rights Committee, Concluding Observations: Tajikistan, CCPR/C/TJK/CO/2, 22 August 2013, para. 21 [↑](#footnote-ref-4)
5. Communication No. 2483/2014, *The Religious Association of Jehovah’s Witnesses in Dushanbe et al v. Tajikistan*. [↑](#footnote-ref-5)
6. Decision of the Assembly of the Council Commission of the Ministry of Culture of the Republic of Tajikistan, 11 October 2007, p. 1 [↑](#footnote-ref-6)
7. Decision of the Dushanbe Garrison Military Court, 29 September 2008, p. 8 [↑](#footnote-ref-7)
8. Human Rights Committee, Concluding Observations: Tajikistan,  CCPR/CO/84/TJK, 18 July 2005, para. 20; Human Rights Committee, Concluding Observations: Tajikistan, CCPR/C/TJK/CO/2, 22 August 2013, para. 21 [↑](#footnote-ref-8)
9. Human Rights Council, Working Group on Arbitrary Detention,Opinion No. 43/2017, concerning Daniil Islamov (Tajikistan), A/HRC/WGAD/ 2017/43, 5 October 2017 [↑](#footnote-ref-9)
10. Opinion No. 43/2017, paras. 36, 39, and 40 [↑](#footnote-ref-10)