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TAJIKISTAN: Jehovah's Witnesses to challenge fines in Supreme Court

By Igor Rotar, Forum 18 News Service <<http://www.forum18.org>>

Tajikistan's Jehovah's Witness community intends to appeal to the Supreme Court against fines imposed on two of its members on 24 April by a court in Tursun-Zade, a Jehovah's Witness who asked not to be identified told Forum 18 News Service. The two Jehovah's Witnesses, Grigori Putenkov and Sukhrob Maksudov, were fined for leading a religious meeting in a private flat raided by the police. The judge who handed down the fine, Davlatbek Zabiroy, defended his decision, telling Forum 18 that Tajikistan's law on religion does not allow anyone to give religious instruction without a licence and that the administrative code sets out punishment for those who violate this provision. "Thus, when I pronounced the sentence, I was working strictly within the law."

Tajikistan's Jehovah's Witness community intends to appeal to the Supreme Court against fines imposed on two of their members on 24 April by a court in the town of Tursun-Zade, 60 kilometres (35 miles) west of the capital Dushanbe, a Jehovah's Witness from Dushanbe who asked not to be identified told Forum 18 News Service. The two Jehovah's Witnesses, Grigori Putenkov and Sukhrob Maksudov, were fined for leading a religious meeting in a private flat in Tursun-Zade which was raided by the police. The judge who handed down the fine, Davlatbek Zabiroy, defended his decision, telling Forum 18 that the punishment was in line with the law, which bans teaching religion without official approval.

On 20 April several police officers raided the flat where around 40 local Jehovah's Witnesses were holding a religious meeting. The police officers told all those present to write statements. Putenkov and Maksudov, were taken to the town's police station, where officers started to insult them and struck Putenkov several times. The police released the two men after about an hour, telling them that they would receive a court summons very shortly.

On 24 April judge Zabiroy of Tursun-Zade court sentenced Putenkov and Maksudov each to a fine of five times the minimum monthly wage (some 57 Norwegian kroner, 8 Euros or 8 US dollars) on the basis of Article 211, part 2 of the administrative code, which punishes "violation of the law on giving religious instruction". Zabiroy also declared that no more than two Jehovah's Witnesses have the right to meet together at any one time "as the community is not registered in Tursun-Zade".

Judge Zabiroy strongly defended the punishment he had handed down. "The Jehovah's Witness community is not registered in Tursun-Zade. But that is not the issue," he told Forum 18 by telephone from the town on 24 April. "According to Tajikistan's law on religion, no-one is allowed to give religious instruction without a licence. The punishment for this is set down in article 211, part 2. Thus, when I pronounced the sentence, I was working strictly within the law."

Under Article 6 of the religion law, only registered religious organisations can organise education for adults and children, and all teachers require a licence from the "appropriate religious administration". The Jehovah's Witnesses are registered in Dushanbe.

Zabiroy also said that he did not know anything about the police insulting the two Jehovah's Witnesses or beating Putenkov.

Speaking from Solnechnoe near the Russian city of St Petersburg, Canadian Jehovah's Witness lawyer John Burns told Forum 18 that he intends to lodge the Supreme Court appeal on behalf of Putenkov and Maksudov, arguing that the religion law does not make registration obligatory and the evidence to show that the two men were engaged in "religious instruction" is not compelling.

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