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## **"The law demands that all religious literature be checked by the state"**

Forum 18 (19.11.2013) - Police and National Security Committee (NSC) secret police officers have seized religious literature from Muslims, Protestants and Jehovah's Witnesses in various cases in Tajikistan in 2013, Forum 18 News Service notes. Many individuals have been warned or fined for "illegal" religious literature which has not been through the compulsory state censorship. Two more are known to have been fined for talking about their faith with others on the street or with meeting for worship without the compulsory state registration.

Asked why individuals and religious community members must have their personal religious literature checked by the state, Mavlon Mukhtarov, Deputy Head of the State Committee for Religious Affairs (SCRA) in the capital Dushanbe, insisted to Forum 18 on 14 November that this "must be done according to the Religion Law."

The "offence" of producing, distributing, importing or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship was created with the addition of Article 474-1 to the Code of Administrative Offences. Religious communities of all faiths have long complained of the high cost of gaining an "expert analysis" from the SCRA for every item of literature.

Asked why – in at least six cases since summer 2013 - courts gave large fines on Protestants for receiving personal copies of religious magazines by post, Mukhtarov responded: "I don't know why they were fined, but I will look into the matter."

### ***Other punishments***

Forum 18 knows of individuals who have been punished for unapproved religious education. The United Nations Human Rights Committee has criticised Tajikistan's "severe restrictions on freedom of religion" and punishments on those exercising the right to freedom of religion or belief in a report made public in August (see forthcoming F18News article).

### ***Warning over confiscated Kurban Bayram booklets***

Police in the northern city of Khujand [Khojand] in Sogd Region stopped members of the officially registered Islamic Renaissance Party (IRP) on the street and "confiscated hundreds of booklets" from them. Party members were handing out the booklets on the eve of the 15 October celebration of the Islamic festival of Kurban Bayram (Eid al-Adha). "The booklets only explain the meaning of the holiday and its values," Hikmatullo Sayfullozoda of the IRP complained to Forum 18 from Dushanbe on 13 November.

The police then took down the Muslims' names before releasing them. The police "warned them that if they are caught again distributing religious literature without prior state

authorisation, cases will be opened against them," Sayfullozoda told Forum 18. "Of course, after this we decided that neither in Khujand nor anywhere else in Tajikistan will we distribute these booklets."

Sayfullozoda asked why the authorities "should hinder us from spreading the booklets explaining to the public the meaning of our holidays." He said that since President Emomali Rahmon's re-election in a controversial 6 November poll, "the government now needs to soften the rigid religious policies and give back to the religious communities their basic rights."

Abdukhakim Sharipov of Sogd Regional Administration, who oversees religious affairs, insisted to Forum 18 on 14 November that "we are not against explaining to people our holidays, and registered and authorised religious organisations may do this."

Asked what is wrong with IRP members simply explaining the holiday to the public, Sharipov claimed that "the Islamic Party members were stopped because they are trying to attract people to their ranks by spreading religious literature." Sharipov added that "based on the Law political parties cannot be engaged in religious activity."

### ***Fined for receiving magazines by mail***

Dushanbe's Shokh Mansur District Court in late September punished local Baptist Madamin Chariyev for "illegally importing unlicensed religious literature", Baptists who wished to remain unnamed for fear of state reprisals told Forum 18 on 9 November. He was fined 30 Financial Indicators (FIs) or 1,200 Somonis (1,500 Norwegian Kroner, 190 Euros or 250 US Dollars).

Chariyev was punished under Administrative Code Article 474-1, Part 1 ("Violation of the Religion Law's provisions on producing, distributing, importing or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship"). This Article was added to the Administrative Code in January 2011.

Though Chariyev's Church in Dushanbe is registered, the authorities refused to re-register the Baptist Union to which it belongs after the adoption of the harsh new Religion Law in 2009.

Chariyev has already paid the fine. He chose not to appeal against it since he does "not want to get into a conflict with the authorities", Baptists told Forum 18.

### ***Secret police pressure to admit "violation"***

Trouble for the Baptists began in early September, Church members told Forum 18. NSC secret police officers confiscated a few copies of "Our Daily Bread", a Baptist magazine shipped from Belarus to the Church for three of its members. The subscribers to the magazine were summoned to the NSC Department in September for questioning.

The church members were questioned by an NSC Colonel who would not give his name. The officer showed copies of the magazine addressed to them and told them that they had violated the Religion Law "since they received unlicensed literature". The Colonel then told the Baptists they "need to write statements and will be given fines".

The Colonel "ignored" the Baptists explanation that "these are monthly issues of the magazine," that "no new Baptist teachings are reflected in them", and that "these magazine were not intended for distribution among the public but individual use of each Baptist and therefore do not need to go through religious 'expert analysis'."

Seeing that the NSC Colonel "kept pressuring them to write statements so they could be fined," the Baptists "pleaded" with him to prepare the report only on one person, to which the Colonel consented. The Dushanbe Department of the NSC secret police then brought the case against Chariyev to Court.

### ***Earlier fines***

At least five other members of various Protestant churches are known to have been given similar fines for "illegal" religious literature since the summer. All were punished – like Chariyev - under Administrative Code Article 474-1, Part 1.

In August-September, Dushanbe's Shokh Mansur District Court also fined several Protestants from various Churches for receiving by mail individual copies of Christian magazines for personal use, Protestants who wished to remain unnamed for fear of state reprisals told Forum 18 between 8 and 9 November.

The Protestant pointed out to Forum 18 that all these administrative cases were opened by the Dushanbe Department of the NSC secret police, which had summoned and questioned each of those later fined.

A number of members of other Protestant Churches apart from the Baptists were fined across Tajikistan in the summer for importing "illegal" Christian books, another Dushanbe-based Protestant told Forum 18. Each was fined 1,200 Somonis.

### ***"All religious literature must be licensed before use"***

Asked why his court had handed down so many fines for receiving personal copies of religious magazines, Judge Rakhmonoli Ismoilov, Deputy Chair of Shokh Mansur District Court, insisted to Forum 18 on 14 November that "all religious literature must be licensed before use."

The "offence" of producing, distributing, importing or exporting religious literature and items of a religious nature which have not passed through the compulsory prior state religious censorship has existed since January 2011.

Told that each of those fined had received only one copy for their personal use, and that these are members of registered Churches, and asked why the State must check each individual book or magazine intended for personal use, Judge Ismoilov took down Chariyev's case's details and asked Forum 18 to call back on 15 November. "I will see into this, call us back tomorrow."

On 15 November the phones of the Court, including Judge Ismoilov's numbers, went unanswered.

### ***"Expert analyses": "We cannot afford to pay such sums"***

The Dushanbe Protestant, Baptists, Sayfullozoda of the IRP, and a representative of an officially registered community (who asked that they and their community not be identified), all told Forum 18 that if the state has to censor religious literature they wish the "expert analysis" would at least be free.

The Baptists noted that they recently paid nearly 3,000 Somonis (3,800 Norwegian Kroner, 450 Euros or 625 US Dollars) for the SCRA to conduct an "expert analysis" on three books and "we cannot afford to pay such sums all the time".

The Protestants also complained to Forum 18 that paying for religious "expert analyses"

is "unaffordable", adding that "soon we may stop importing the magazines as well as any religious literature."

Religious communities of all faiths have long complained of the high cost and compulsory nature of the SCRA's "expert analyses".

Told that religious communities have complained that it is unaffordable for them to pay for "expert analyses", and that – if the state requires it – it should at least be done for free, Mukhtarov of the SCRA responded laughing: "We cannot just do work for them for free."

Asked why individuals or religious communities are not given a chance freely to receive and use their literature, Mukhtarov insisted: "The law demands that all religious literature be checked by the state."

Mukhtarov also claimed to Forum 18 that the "expert analysis" is "not expensive." He refused to give specific prices but said that they "begin from 50 Somonis for a book and up depending on the number of the pages of the book".

### ***Raid, confiscation, fine***

Dushanbe-based Jehovah's Witness, Rizvon Jurayeva, was fined 4 FIs or 160 Somonis under Administrative Code Article 474, Part 1 on 3 April, fellow Jehovah's Witnesses told Forum 18 on 13 November. Article 474, Part 1 punishes "carrying out religious activity without state registration or re-registration of the organisation".

The fine had been handed down by Safarali Sharipov, a religious affairs official of Dushanbe's Firdavsi District Administration. Tajikistan's Administrative Code and Religion Law allow state religious affairs officials to give fines to punish violations of the Religion Law.

The fine on Jurayeva followed a 24 March NSC secret police raid on a Jehovah's Witness-owned private flat in Dushanbe. "A small group of believers had gathered to read and discuss the Bible," Jehovah's Witnesses told Forum 18. "NSC officers forced their way into the flat, claiming that it is illegal for Jehovah's Witnesses to meet. As with all previous raids, the officials seized the Bibles and religious literature of the persons in attendance."

### ***NSC secret police "has competence" to question religious believers***

In all the cases where fines were given to Protestants for unlicensed literature or to Jehovah's Witnesses for unauthorised teaching of religion, the action was brought by the NSC secret police. Forum 18 notes.

Asked why the secret police monitors their activity, both Protestants from Dushanbe and Jehovah's Witnesses told Forum 18 that they do not understand why. One religious believer, who asked that they or their community not be identified, told Forum 18 that the NSC secret police also often summons their members for questioning about their activity.

No official at the NSC secret police's Dushanbe Department was prepared to comment. The duty officer (who did not give his name) on 12 November told Forum 18 to call back on the same day. However, the phones of the Department went unanswered between 12 and 15 November.

Asked why the NSC secret police questions members of religious communities, Mukhtarov of the SCRA responded, "Well they have a religious affairs section, and

competence to do so." He could not answer when asked why the NSC secret police must control religious believers.

Told that Jehovah's Witnesses are continually being fined for peacefully practicing their faith because they do not have State registration, Mukhtarov added: "We recently met with their representatives, and asked them to submit their documents for registration."

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## **Religious political party members fined for religious activity**

Forum 18 News Service (22.03.2013) - Members of Tajikistan's only legally permitted religious political party have been punished for exercising their right to freedom of religion or belief in party-organised events, Forum 18 News Service has learned.

Up to five women in southern Khatlon Region were fined for taking their children to a February celebration of the Muslim Prophet Muhammad's birthday arranged by the Islamic Renaissance Party (IRP). In northern Sughd Region, an IRP activist was fined for reading the Koran and praying during a meeting for local women she arranged in her home. The meeting was on a Wednesday, when the IRP is only allowed to hold religious meetings on Saturdays, the police chief told Forum 18. Her husband was freed on 7 March from a 15-day prison term, imposed after he spoke out in a meeting at the Administration where his wife and other female participants were being harangued.

The fines were handed down under Article 474, Part 1 of the Code of Administrative Offences ("carrying out religious activity without state registration or re-registration of the organisation"). Punishments for individuals consist of fines ranging between 7 and 10 Financial Indicators (FIs). One Financial Indicator remained unchanged in the 2013 Budget at 40 Somonis (50 Norwegian Kroner, 7 Euros or 8 US Dollars).

The authorities have long sought to prevent religious worship in IRP-owned premises, including Muslim prayers at the party headquarters in the capital Dushanbe.

Mavlon Mukhtarov, First Deputy Head of the State Committee for Religious Affairs (SCRA), told Forum 18 from Dushanbe on 20 March that he cannot comment on the specific cases since he is not familiar with them, but denied any pressure from the government. He refused to discuss the enforcement of provisions in the restrictive Religion Law and the Parental Responsibility Law.

The Parental Responsibility Law entered into force in August 2011 amid much controversy. Among many other provisions, it bans almost all young people from attending places of worship.

### ***Raid on Prophet Muhammad birthday celebration***

Abdusamad Gayratov, chair of the IRP's Kulyab [Kulob] division in southern Khatlon Region, told Forum 18 that his party planned to hold celebrations of Prophet Muhammad's birthday for their members before the end of March at their various Party headquarters across Tajikistan.

However, he lamented that their 10 February celebration in the city of Kulyab was "marred" by the raid by local officials: Kalondor Mirzoyev of the City Administration's Religious Affairs Department, Police Major Navruz Nazarov and Inspector Dilshod Khamidov.

"This seminar was conducted for women, and altogether about 170 took part," Gayratov told Forum 18 on 15 March. "We started the meeting at 10 am, and Mirzoyev was there within ten minutes, with four Police officers arriving ten minutes after him."

When Gayratov objected that the officials entered the hall and disturbed the meeting, Major Nazarov along with the two other officers brought him to the Police Department, Gayratov told Forum 18.

"Major Nazarov questioned me in his office for about an hour, and drew up a police report." Major Nazarov told Gayratov that he was being charged for organising an unauthorised religious meeting. "I argued with him that we are a registered Islamic political party, and that by celebrating the Prophet's birth, nothing disturbed the public or went against the State," Gayratov told Forum 18. Major Nazarov then brought him to Jumakhon Nazarov, Chief of Kulyab Police, who repeated Major Nazarov's claims to Gayratov, after which he was released.

Meanwhile, while Gayratov was at the police station, Inspector Khamidov waited at the door of the hall, taking down the parents' and children's names as they came out.

### ***Fines***

At least one and possibly as many as five of the women who attended the 10 February celebration have been fined for their participation.

Judge Bahrom Sharipov, Chair of Kulyab City Court, summoned local resident Guljahon Gayibova on 25 February to inform her that she was fined 40 Somonis under Administrative Code Article 474, Part 1. She was accused of bringing her 13-year old daughter to the meeting, alleging that this violated the Religion and Parental Responsibility Laws.

Gayibova told Forum 18 on 15 March that when she asked for the copy of the Court decision, Suhrob Akramov, who presented himself as a Court official, told her that she should not hire a lawyer or make complaints, since she had been given the minimum fine for her violation. "Because the amount is so small, it is shameful to make big noise about it," she quoted Akramov as telling her. "So you should just sign the papers that you don't need a lawyer, and we will take care of the payment."

Presenting himself as a Judge of the Kulyab Court, Akramov told Forum 18 on 19 March that he did not remember the details of the case. He asked Forum 18 to call back later the same day. When called back, a woman who answered Akramov's phone (she refused to give her name or position in the Court) told Forum 18 that Akramov is not a Judge but a bailiff, and said that he is not available to talk. However, she said that Gayibova's case had been heard by the Chair of the Court, Bahrom Sharipov. She then referred Forum 18 to Judge Sharipov.

Sayjafar Yuldashev, Judge Sharipov's assistant, told Forum 18 on 19 March that the Judge was not available to comment but that Gayibova had been fined for "bringing her child into a religious meeting". Yuldashev refused to tell Forum 18 whether other parents were fined and, if so, to give their names. He also refused to put Forum 18 through to Judge Sharipov or other officials of the Court.

### ***How many parents fined?***

Tajikistan-based media variously put the number of mothers fined under the same charges for bringing their children to the meeting at between three and five. However,

neither Gayratov, Gayibova, Police officers who raided the Party seminar nor the Court officials could give exact names or numbers of the parents to Forum 18. Police Major Nazarov told Forum 18 on 19 March that he does not know how many parents came with their children to the seminar or how many were punished for it.

Nonetheless, Judge Ochilov (first name not given) of Kulyab Court summoned Gayratov on 6 March to tell him that administrative charges are being prepared against him for holding a religious event outside a registered place of worship.

Gayratov said that Judge Ochilov, as "one proof of his guilt," told him that five women were fined for participating in the Party seminar with their children, aged between 6 and 13. "The Judge, pointing to a stack of papers on his table, told me that two of the women already paid the fines," he told Forum 18 on 16 March. Although Gayratov said that he believes it could be true, he does not know the names of these mothers.

Asked what punishment will be given to Gayratov, Major Nazarov told Forum 18: "I drew up the report of the unauthorised religious meeting, and referred the case to the Religious Affairs Department. It is up to them whether or what punishment they will give."

Kulyab Court officials did not tell Forum 18 whether or when a hearing of Gayratov's case will be.

### ***Mother and daughter warned***

On 18 and 19 February, Police Inspector Khamidov – who had recorded the names of parents and children present at the meeting – visited their schools. Some parents were summoned and Khamidov dictated statements of why they were in the meeting and promising not to attend such meetings again.

Gayibova told Forum 18 that Khamidov visited her daughter's school several times. He told mother and daughter in front of the teachers that "what we did was illegal, and made me write a statement that my daughter will not participate in religious meetings in future."

"The law is against our religious rights, and also the rights of our children," Gayibova lamented to Forum 18. "What can we do when we do not want to leave our children home alone, and we have to go to a religious event?"

Calls to Inspector Khamidov's office phone throughout 20 March went unanswered. Khamidov three times answered his mobile phone the same day, but without saying anything each time put the phone down.

### ***Raid in Sughd Region***

Sixteen officials from various state agencies - including Vosip Kaziyev, Chief of Isfara District Police Station No.2, other Police and Ministry of National Security (MNS) secret police officers - raided the private home of Abdumannon Sadikov and his wife Munovar Sadikova in the village of Surkh in Sughd Region's Isfara District. The couple are IRP activists.

Officers arrived early in the morning of 20 February while the husband was absent from home since his wife was conducting a meeting for women where she would discuss the Party's agenda with 16 local women, Sadikov told Forum 18 on 18 March.



The raid began when the local Police Officer Umid Kholikov along with another police officer at about 8.30 am "without warning entered our house", Sadikov told Forum 18. His wife had just started the meeting with prayer and Koran reading 15 minutes before the Police arrived. Such prayer and Koran reading should have lasted 30 minutes "as we, in the IRP, usually begin our meetings," Sadikov said. "When my wife opened the door, and said that they are having normal activity of the IRP, which is a legally registered party, Officer Kholikov told her they are having an illegal religious meeting."

Then Officer Kholikov "immediately collected all the cell phones so no one could make a phone call to inform anyone of what was happening." When Sadikova told Kholikov that what the Police was doing was illegal, he told her: "I am not afraid of anyone." However, one of the women secretly called Sadikov and he arrived about 9.30 am.

"The officials took down the women's names and made them write statements," Sadikov recounted. "They then left, asking me to come to Isfara District Police, which I did around lunch time."

At the Isfara District Police Station No.2, Police Chief Kaziyev and other officers questioned Sadikov for two hours. Officers warned that they "must not have any meetings" in their home, including Koran reading or prayers for party members or anyone. After two hours of being kept at the Station he was released.

### ***"I simply carried out my orders"***

Officer Kholikov admitted that the Police "visited" Sadikov's home but denied that he collected the mobile phones or threatened the women. "They lied to you," he insisted to Forum 18 on 19 March. When Forum 18 asked what exactly happened and why the Police raided the Sadikovs' home, he refused to comment. "Please talk to my Police Chief, I simply carried out my orders."

Police Chief Kaziyev told Forum 18 the same day that the authorities decided to "allow the IRP to have religious gatherings only on Saturdays but Sadikova held her meeting on 20 February, which was a Wednesday." Asked whether he does not think the decision to allow people to pray or read Koran on certain days only is not arbitrary, he referred Forum 18 to Obidboy Akhmadov, chief religious affairs official of Isfara City Administration.

Asked why people cannot pray and read the Koran with friends or colleagues in their private homes, Khasanboy Zaliyev, Head of Sukhr village administration, was categorical. "We have 16 Mosques in our District - people can pray there," he told Forum 18 on 20 March from Sukhr. "We have religious freedom in Tajikistan."

### ***Confrontation with District Administration official***

Sadikov told Forum 18 that after he was released from the Police Station at around 2 pm, he received a call from his wife. She informed him that now she and three other women from the meeting were summoned to the Surkh village Administration's building for a meeting with Oliya Ganiyeva, Deputy Head of Isfara District Administration. "She told me that Ganiyeva was scolding them for organising illegal activity as well as putting pressure on the women to leave the IRP."

"When I arrived at the Administration building I knocked on the door of the hall where the meeting was taking place," Sadikov explained. Akhmadov, Isfara's Religious Affairs official, came out of the hall, telling Sadikov that he "should not enter since it is a meeting for women."



"When I told him that my wife is in there and she feels intimidated, and I want to be by her side," Sadikov said, "Akhmadov calmed me saying that I should not worry, that even he is not going to sit in the room, and that the meeting should be over in 30 minutes."

However, the meeting went on longer, and Sadikov could hear Ganiyeva "yelling" at the women, pounding on the table, scolding them for alleged illegal activity and accusing the IRP leadership of embezzling the Party's money. Sadikov told Forum18 he "could not stop, but entered the hall and sat at the back."

"When I raised my hand, introduced myself, and asked loudly by what rights the authorities raid our private home, summon me to the Police station, and then summon my wife and her guests to the Administration to scold, yell at them, and falsely to accuse our colleagues, Ganiyeva yelled at me and other officials present at the meeting: Who is this uncultured person - take him out of here immediately."

Village administration Chief Zaliyev, who was also in the hall, "came to me, and taking my arm softly, asked to leave the hall together with him." Then "within minutes" Officer Kholikov accompanied by other police officers arrived and took him to the Police Station.

Zaliyev defended to Forum 18 the administrative arrest of Sadikov, claiming that he had "behaved like a hooligan". Asked what exactly in Sadikov's actions constituted hooliganism, Zaliyev responded that Sadikov "yelled at a very important person from the government, which is an insult."

Told that Sadikov's home was raided by so many officials early in the morning, he then was interrogated by the Police while his wife was compelled to stay in Ganiyeva's meeting for lengthy questioning while she was being shouted at, and asked whether had all this happened to him he would react calmly, Zaliyev responded: "Look you were misinformed, and this is not a phone conversation, and I am busy at the moment." He refused to talk further to Forum 18.

### **Arrest**

After being kept at the Isfara Police from 4 pm on 20 February until the morning of 21 February, Sadikov was then taken to Isfara District Court. There Judge Farhod Ganiyev (Forum 18 is not aware whether or not he is related to Ganiyeva) "made a quick decision, without giving me a chance to defend myself or use the services of a lawyer," Sadikov told Forum 18.

He said that Ganiyeva was present at the hearing and "kept yelling at me even at the Court." When he tried to defend himself or say anything in his defence, "the Judge told me to shut up."

Forum 18 could not reach Judge Ganiyev or other officials on 20 March. Phones at the Court went unanswered. However, Judge Ganiyev on 28 February claimed to local news agency Asia Plus that Sadikov refused to use the services of a lawyer or other witnesses.

Sadikov ridiculed the claim, telling Forum 18: "I was not even given a chance to look round for lawyers, and I was taken from my home to the Police, from the Police to the Court, and given the arrest within less than one day."

Asked why Sadikov was given a 15-day prison term, Isfara Police Chief Kaziyev admitted that "there is nothing wrong with Sadikov's participation" in Ganiyeva's meeting but that "Ganiyeva complained to the Police that he insulted her." Asked how this can be proved, he referred Forum 18 to Isfara District Court.

Asked how in less than one day all these legal procedures could take place, and such a serious punishment be given to a person without even allowing him to defend himself, Kaziyeu responded, "We are not against Sadikov – we simply punished him for petty hooliganism."

### ***Fine***

On 7 March – the day her husband was freed - Religious Affairs Official Akhmadov fined Sadikova 320 Somonis under Administrative Code Article 474, Part 1. She received a copy of the decision - which Forum 18 has seen - at Isfara Administration building on 11 March. However, she has not paid the fine and on 14 March filed an appeal in the court against the decision.

Asked why Sadikov had been given administrative arrest and why his wife had been fined, Akhmadov on 19 March told Forum 18: "These are Tajikistan's internal issues, it is none of your business. We have prosecutors and other organs who can prove who was right who was wrong." Asked why the IRP was allowed to have religious meetings only on Saturdays, he did not answer.

Told that Sadikova refuses to pay the fine and appealed, and asked what further measures will be taken against her, Akhmadov responded: "It is not your business whether she pays or does not pay the fine." He further refused to talk by telephone, insisting that Forum 18 should come to his office to talk.

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## **99.4% of Tajik citizens are Muslim**

Interfax (05.03.2013) - The committee said it drew the conclusion from citizens' nationality rather than polls or census.

"As on February 5, 2013, Tajikistan had a population of eight million. Judging by nationality, 7,952,000 are Muslims and 48,000 belong to other religions," the committee said.

"Hence, Muslims amount to 99.4% of the entire population," it said.

The committee referred to the nationality data presented by the Tajik Statistics Agency.

Apart from Hanafi Sunni Muslims, Tajikistan has over 200,000 Ismailite Shiite Muslims. The country has 74 non-Islamic religious organizations. The precise number of atheists and non-Islamic believers is unknown. Yet some ethnic Tajiks and people of other traditionally Islamic nationalities go to Orthodox, Adventist or Baptist churches.

Tajikistan has 3,712 mosques, three medrasahs (Islamic general education schools) and the Islamic University.

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