

# KYRGYZSTAN

The Kyrgyz government restricts religious freedom through its 2008 religion law and other laws and policies. Pending religion law amendments would sharply increase these controls, and, if enacted, could negatively affect Kyrgyzstan's status in USCIRF's next annual report. USCIRF has monitored religious freedom conditions in Kyrgyzstan for several years.

## Background

Over 80 percent of Kyrgyzstan's population of 5.7 million is Sunni Muslim; 15 percent is Christian, mostly Russian Orthodox; and the remaining five percent consists of very small Shi'a Muslim, Protestant, Catholic, Jewish, Buddhist, and Baha'i communities or individuals who are unaffiliated with any religion. The country's large ethnic Uzbek community (up to 40 percent of the population of southern Kyrgyzstan) mostly adheres to the Hanafi school of Sunni Islam.

## 2008 Religion Law

The constitution purports to provide for religious freedom for all citizens, but Kyrgyzstan's 2008 religion law criminalizes unregistered religious activity and imposes burdensome registration requirements, including that a religious group must have 200 resident citizens as its founders and at least ten members, of whom one must be a 15-year local resident. The Organization for Security and Cooperation in Europe (OSCE), the Council of Europe's Venice Commission, and the UN Human Rights Committee have noted that the law violates international standards, including through its: registration requirements, criminal penalties for unregistered activity, restrictions on "fanaticism and extremism," and limits on missionary activity and the dissemination of religious materials. In 2015, some Kyrgyz officials reportedly ignored a 2014 ruling of the Supreme Court's Constitutional Chamber that a registered religious group's activities cannot be limited to its legal address and that it is unconstitutional

to require local council approval of the list of 200 founders necessary for registration.

## Proposed Religion Law Amendments

In 2014, the State Committee on Religious Affairs (SCRA) prepared draft amendments to the religion law that would sharply increase the SCRA's authority; privilege Islam and the Russian Orthodox Church over other "non-traditional" religions; require 500 founders for the required re-registration of all religious groups; require an annual SCRA license for any official or worker in a religious group or religious educational institution; and further limit the sites for distribution of religious materials. Draft administrative code amendments would increase the maximum fines for religious offenses to the equivalent of 14 months' average salary. In 2015, a Defense Council working group (to which the SCRA director belongs) and the Prime Minister's Office reportedly were reviewing and revising the proposals. As of the end of the reporting period, Kyrgyz authorities had not sent any proposed amendments to parliament.

## Increased State Control of Muslims

Countries in Central Asia face security threats from groups using violence in the name of religion, and thousands of Central Asians, including official estimates of 250 Kyrgyz, allegedly have joined ISIL (the Islamic State of Iraq and the Levant). However, the overly restrictive religion laws and repressive anti-extremism measures applied by the Kyrgyz and other Central Asian governments run the risk of radicalizing otherwise peaceful religious adherents.

In 2015, Kyrgyzstan reportedly implemented a 2014 Presidential Decree that increased state control over the semi-autonomous Muslim Board, including by requiring the Muslim Board to elect imams and the Chief Mufti; mandating that government officials participate in internal exams for imams; providing monetary rewards to Muslim clergy who excelled in meeting

internal criteria; and requiring the Board to check with local and national law enforcement agencies whether clerical candidates belong to extremist organizations, Forum 18 reported. The Muslim Board also was instructed to select the Mufti, imams, regional imams, religious judges, and Council of Ulema members only from the Hanafi school of Islam officially deemed “traditional” for Kyrgyzstan’s Muslims.

In November 2015, a provincial court in Osh doubled the five-year prison term for “inciting religious hatred” imposed on Rashot Kamalov, a popular ethnic Uzbek imam, despite his sermons against ISIL and extremism. Reportedly, Kamalov also accused local police of extracting numerous bribes by randomly accusing individuals of ISIL membership. As a result, some 200 ethnic Uzbeks in southern Kyrgyzstan who could not afford to pay such bribes have been jailed.

Unlike other post-Soviet states, Kyrgyzstan has not banned *Tabligh Jamaat*, a Muslim missionary movement that reportedly is quite influential with some Kyrgyz officials. In 2014, the Kyrgyz government banned the Uzbek Islamic religious movement *Akromiya* as an extremist organization. Lists of prohibited religious organizations reportedly are coordinated with intergovernmental regional security organizations, in particular, the Shanghai Cooperation Organization and the Collective Security Treaty Organization.

## Registration Issues

Some 700 of the country’s unregistered mosques have been identified as “illegal” for lack of registration. In recent years, some religious groups were denied registration, including the Ahmadiyya Muslim community and the Church of Scientology. In February 2016, the Kyrgyz Supreme Court rejected an appeal by Jehovah’s Witnesses against registration denials in four cities. In October 2015, two Jehovah’s Witnesses, Nadezhda Sergienko and Oksana Koriakina, were freed from 31 months of house arrest on charges of alleged witchcraft in apparent reprisal for their community’s registration application. In February 2016, however, the Supreme Court returned their case to Osh for a new trial. Even registered religious minorities face obstacles; for example, in December 2015, a Chuy regional court rejected an appeal by the registered Embassy Protestant Church against a lower court’s order to halt

activity. The church reportedly also was threatened with mob violence.

## Forced Conversion and Violence against Religious Minorities

In December 2015, Ahmadiyya Muslim Yunusjan Abdjalilov was murdered in the Jalalabad region; police arrested nine suspects and claimed they belonged to an ISIL-linked terrorist group. Local human rights activists report that Kyrgyz officials ignore hate speech, including comments by imams and the Muslim Board, in the media against religious and ethnic minorities. The Kyrgyz government also has not resolved the chronic problem of religious minorities being denied burials in municipal cemeteries controlled by the Muslim Board. For example, in August 2015, Osh city officials and a local imam did not allow a Protestant to bury her son in their local cemetery and the imam pressured her to renounce her faith. The same month, 10 police officers raided a Jehovah’s Witness worship meeting in a rented cafe in Osh and brought an imam to convert those present. Police beat one man who was filming the raid; at the police station, officers strangled three Jehovah’s Witnesses until they lost consciousness. According to Kyrgyz human rights activists, the government does not take legal action against police who commit violent acts during raids or against detainees.

## Other Legal Issues

The Kyrgyz religion law limits conscientious objection to military service status to those who belong to registered religious groups. In addition, SCRA authority to censor religious materials – increased under 2012 amendments to the religion law – seems particularly to apply to non-traditional Muslim, Protestant, and other minority religions.

## Recommendations

USCIRF recommends that the U.S. government urge Kyrgyzstan to seek expert advice from the UN Special Rapporteur on Freedom of Religion or Belief as well as relevant OSCE entities on the still pending draft amendments to the religion law. The United States also should raise publicly Kyrgyzstan’s religious freedom violations at appropriate international fora, such as the OSCE and the UN.