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July-December, 2010 International Religious Freedom Report - Kyrgyz Republic

 Bureau of Democracy, Human Rights, and Labor
 September 13, 2011

[Covers six-month period from 1 July 2010 to 31 December 2010 (USDOS is shifting to a calendar year reporting period)]

The constitution protects religious freedom; however, laws and policies restrict religious freedom, and in practice the government restricted the expression of religious belief. Following a change of government in April, the country's interim government proposed a new constitution, which was approved by referendum on June 27. The new constitution provides for freedom of religion and the separation of religion and state; it prohibits discrimination based on religion or religious beliefs.

There was no change in the status of respect for religious freedom by the government during the reporting period. The interim government has not announced new policies or laws that infringe on religious rights; however, it has not abrogated a 2006 decree that recognized Islam and Russian Orthodoxy as "traditional religious groups," or a 2009 Law on Freedom of Religion and Religious Organizations (Religion Law) that established restrictions on the activities of religious groups. According to the 2009 religion law, all religious organizations, including schools, must apply for approval of registration from the State Commission for Religious Affairs (SCRA). The SCRA was responsible for promoting religious tolerance, protecting freedom of conscience, and overseeing laws on religion. The government continued to restrict registration of religious organizations, activities of Muslim groups it considered threats to security, and other law-abiding religious groups.

Throughout the reporting period, tensions continued between Muslims and converts from Islam to other religions, and there were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. During the reporting period, the U.S. embassy monitored the implementation of the 2009 law on religion and maintained contact with government officials, leaders of religious groups, and nongovernmental organizations (NGOs) regarding religious affairs.

Section I. Religious Demography

The country has an area of 77,181 square miles and a population of 5.5 million. Data from a 2009 National Statistics Committee report indicated the following ethnic breakdown: Kyrgyz, 69.6 percent; Uzbeks, 14.5 percent; Russians, 8.4 percent; Dungans (ethnic Chinese Muslims), 1.2 percent; Uighurs (ethnic Turkic Muslims), 1 percent; and other ethnicities, 5.3 percent.

SCRA, which tracks the registration of religious groups, lost its computer records during the events of early April and was not able to provide updated statistics on the distribution of religious groups within the country. Islam is the most widely held faith. An estimated 75 percent of the population is Muslim. Almost all Muslims are Sunni; there are approximately 1,000 Shia. According to SCRA, as of June 2009 there were 1,706 mosques, of which 1,679 were registered. There also were seven institutes for higher Islamic teaching. Twenty percent of the population

is Russian Orthodox. The country had 44 Russian Orthodox churches, one Russian Orthodox monastery for women, and one parochial school, as well as two Russian Old Believer churches.

Other religious groups account for 5 percent of the population. Of those the Protestant Church of Jesus Christ is the largest, with an estimated 11,000 members, of whom approximately 40 percent are ethnic Kyrgyz. The overall Protestant population includes 48 registered Baptist churches and 21 Lutheran, 49 Pentecostal, 35 Presbyterian, 43 "Charismatic," and 30 Seventh-day Adventist communities. There are three Roman Catholic churches. There are an estimated 4,800 Jehovah's Witnesses. The small Jewish community has one synagogue and organizes internal cultural studies and humanitarian services, chiefly food assistance for the elderly and persons with disabilities regardless of the recipient's faith. One Buddhist temple serves the small Buddhist community. There are 12 registered Bahai houses of worship.

Islam was practiced widely throughout the country in both urban and rural areas. Russian Orthodox believers typically were concentrated in cities with a larger ethnic Russian population. Other religious groups more commonly practiced in the cities where their smaller communities tended to concentrate. There was a correlation between ethnicity and religion: ethnic Kyrgyz and Uzbeks were primarily Muslims, while ethnic Russians usually belonged to either the Russian Orthodox Church or one of the Protestant denominations. However, some Christian pastors noted a growing number of ethnic Kyrgyz converts to Christianity. While there was no data available on active participation in formal religious services, a significant number of Muslims and Russian Orthodox adherents appeared to be nominal believers and did not practice their faith actively. Religious practice in the south was more traditional and devout than in other regions.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the Country Reports on Human Rights Practices for the status of the government's acceptance of international legal standards
<http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution protects religious freedom; however, laws and policies restrict religious freedom and in practice the government generally enforced these restrictions. The interim government continued the policy of restricting the activities of Muslim groups it considered to be "extremist" and threats to security. The new constitution defines the country as a sovereign, unitary, democratic social state based on the rule of law with separation of religion and state.

The constitution prohibits the establishment of political parties on a religious basis and the pursuit by religious organizations of political goals. The constitution also prohibits the recognition of any religion as a state or mandatory religion. It also prohibits the interference of religious organizations or ministers with the activities of state bodies.

The interim government has not addressed the status of the 2009 Religion Law. The Constitutional Court upheld the law in July 2009, but on October 1, during a Universal Periodic Review of the Human Rights Council, the interim government agreed to review the law to ensure that it did not infringe on the freedom of religion. While the Religion Law affirms that all religions and religious organizations are equal, the law introduced significant restrictions. The Religion Law prohibits the involvement of minors in religious organizations and prohibits insistent attempts to convert followers of one religion to another, as well as "illegal missionary activity," which is not defined. While the law protects the right of religious organizations to produce, import, export, and distribute religious literature and materials, in accordance with established procedures, all religious literature and materials were subject to examination by state experts. The law prohibits the distribution of religious literature and materials in public locations, or by visiting individual households, schools, and other institutions.

The Religion Law requires the registration with SCRA of all religious organizations, including schools, and SCRA can deny or postpone the certification of a particular religious group, if it believes the proposed activities of that group are not religious in character. Unregistered religious organizations were prohibited from actions such as renting space and holding religious services, although many held regular services without government interference.

Organizations applying for registration must have at least 200 adult citizen members, a significant increase from 10 members prior to the passage of the Religion Law, and must submit an application form, organizational charter, minutes of an institutional meeting, and a list of founding members to SCRA for review. SCRA recommended rejection when a religious organization did not comply with the law or was considered a threat to national security, social stability, interethnic and interdenominational harmony, public order, health, or morality. Applicants whose registration was denied may reapply and may appeal to the courts. The registration process with SCRA was often cumbersome, taking a month to several years for completion. Each congregation must register separately. Additionally, according to the Web site Forum18.org, some religious communities complained that authorities were using property regulations as an excuse to avoid registering them. During the reporting period, some Protestant churches refused to register in protest of the restrictions in the Religion Law.

If approved, a religious organization may choose to complete the registration process with the Ministry of Justice to obtain status as a legal entity, which was necessary to own property, open

bank accounts, and otherwise engage in contractual activities. If a religious organization engaged in commercial activity, it was required to pay taxes.

In February 2009 the minister of education signed a decree that officially banned students from wearing religious clothing, particularly the hijab (traditional Islamic woman's headscarf) in public schools. In March 2009 after local NGOs and parents gathered signatures in protest of the decree, the minister amended the decree from an official ban to a recommendation.

Missionaries of various religious groups may operate with restrictions and were required to register annually. Since 1996 SCRA has registered more than 1,270 foreign citizens as religious missionaries, 76 of whom were registered during the reporting period. Any religious entity founded by a foreigner must reregister each year with SCRA, although the process was much less cumbersome than the initial registration.

The Religion Law allowed for the teaching in public schools of religious science disciplines the state deemed as mainstream, if the lessons did not conflict with the country's laws. Under the auspices of the muftiate (or Spiritual Administration of Muslims of Kyrgyzstan), volunteers called "Davatchi" continued their visits to villages both in the south and in the north of the country to teach traditional Islamic values.

The provisional government expressed concern publicly about groups it viewed as having extremist agendas. The government was particularly concerned about the threat of political Islam, whose followers it labeled "Wahhabists." In 2003 the Supreme Court sustained a ban on four political organizations, citing extremism and alleged ties to international terrorist organizations: Hizbut Tahrir (HT), the Islamic Party of Turkestan, the Organization for Freeing Eastern Turkestan, and the Eastern Turkestan Islamic Party. In 2008 the Pervomaisky district court of Bishkek identified one additional religious group, Jamaat al-Jihad al-Islamias, as a terrorist organization. There were no reliable estimates of membership in extremist Islamic groups.

Established in 1993, the muftiate is the highest Islamic managing body in the country. The muftiate oversees all Islamic entities, including institutes and madrassahs, mosques, and Islamic organizations. The mufti is the official head of the muftiate and is elected by the Council of Ulama, which consists of 30 Islamic clerics and scholars. A muftiate-established commission reviews and standardizes Islamic educational literature printed and distributed in the country and reviews new books on Islamic themes prior to their publication. The muftiate has the authority to ban publications that it deems do not meet established standards, an authority that it initiated and the prior government supported.

The Islamic University, which is affiliated with the muftiate, oversaw all Islamic schools, including madrassahs, to develop a standardized curriculum and curb the spread of extremist religious teaching. This program continued during the reporting period.

The government observed the following religious holidays as national holidays: Kurman Ait (Eid al-Adha), Orozo Ait (Eid al-Fitr), and Orthodox Christmas. The government traditionally sends greetings to Muslims and Orthodox adherents on their major holy days, which are printed in the mass media.

Restrictions on Religious Freedom

The government generally enforced restrictions on religious freedom vigorously. The 2009 Religion Law includes provisions that further restricted religious freedom. The government continued to restrict the activities of Muslim groups it considered threats to security, as well as other law-abiding religious groups.

Several religious groups had difficulties registering. The Church of Jesus Christ of Latter-day Saints (Mormons), which initially applied for registration with SCRA in 2004, was not registered by the end of the reporting period. Leaders of the Hare Krishna temple in Bishkek, after attempting unsuccessfully to register several times in the past three years, planned to resubmit the application for registration once a legal dispute over ownership of their temple location was resolved. Religious leaders attributed their registration delays to erroneous or insufficient applications.

In addition many religious groups that have submitted paperwork to register remained unable to register for a lack of the 200 members to do so; however, it was difficult to gather members when they were not allowed to meet. Some religious groups have succeeded in registering in one city, only to be told that their registration was not valid in another city.

Several Christian groups reported delays in receiving visas for their missionaries who attempted to visit the country or refusals of new visas for missionaries who had resided in the country for several years.

SCRA regularly monitored religious services, taking photographs and asking questions. A SCRA official stated that personnel from the agency would attend religious services regularly to monitor and analyze them.

Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country.

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On May 18 the provisional government issued a special amnesty decree and released 32 defendants who were charged, convicted and sentenced to between five and 17 years in prison in 2008 for incitement of mass disorder, attempted disruption of the constitutional order, and attempted spread of ethnic and religious hatred, among other crimes. The charges followed clashes between the authorities and Muslims, which ensued in 2008 after Nookat administration officials unexpectedly rejected a request by local Muslims to celebrate Orozo Ait (Eid al-Fitr) in the town square, an event the local administration had approved in prior years. Officials claimed that the defendants, along with other demonstrators, were supporters of or affiliated with HT.

Witnesses reported that from May 10 through 13, a group of Toktogul residents attacked members of the local Jehovah's Witnesses community. They threw stones, and looted the group's meeting house and the private houses of members. Local authorities did not intervene.

Representatives of Jehovah's Witnesses reported that on March 19 through 20, 2009, in the town of Mailuu Suu, Jalalabad Oblast, Ministry of Interior officers detained six of their members for several hours, raided their homes, and confiscated their religious literature. According to the Jehovah's Witnesses, the ministry officers cited the new law's ban on distribution of religious materials outside officially registered religious facilities as their legal authority to conduct the search and seizure operation.

There were no reports of religious prisoners or detainees in the country.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

On September 9 an unknown person threw an apparently homemade bomb packed with nails and screws into the courtyard of the Bishkek Synagogue. Rosh Hashanah services had been planned for the time of the bombing, but they were delayed. On April 9, an unknown person set off three gasoline bombs on the grounds of the synagogue. No one was injured in either incident, and authorities were investigating at the end of the reporting period.

In early August unknown persons damaged a number of headstones at a Russian Orthodox cemetery in Issyk-Kul Oblast.

On April 8 immediately following the April 7 change of government, unknown persons hung a banner in Bishkek's main square that said "Dirty Jews and such, like Maxim, have no place in Kyrgyzstan." Maxim Bakiyev, President Bakiyev's son, was criticized in some media outlets for having Jewish advisors.

There was evidence of periodic tension in rural areas between Muslims and foreign Christian missionaries and individuals from traditionally Muslim ethnic groups who had converted to other religious groups. There was at least one incident in which local Muslims refused to allow a convert to a different religion to be buried in the local cemetery. Both Muslim and Russian Orthodox leaders continued to criticize the proselytizing activities of nontraditional Christian groups.

Women faced harassment and discrimination at the workplace in regard to religious dress. In March Mars Dooronova, a well-known television commentator and producer, quit her job because her supervisor forbade her to wear a hijab in the office and when broadcasting. There were growing numbers of hijab-related conflicts, many of which took place in secondary schools.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. Embassy representatives met with leaders of religious communities, including minority groups, and with NGOs monitoring religious freedom. USAID continued to fund human rights organizations that monitored problems related to freedom of religion, including draft legislation regarding religious beliefs. These USAID-funded NGOs provided free legal advice to members of marginalized religious communities.

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