



**JUBILEE CAMPAIGN USA
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The Kyrgyz Republic (Kyrgyzstan)

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United Nations Human Rights Council
Universal Periodic Review of the Kyrgyz Republic

I. Background.

1. **Jubilee Campaign** is a non-governmental organization which holds consultative status with the Economic and Social Council since 2003 and whose work focuses on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children to protect them from bodily harm and exploitation. Jubilee Campaign submits this analysis of religious freedom and human rights in the Kyrgyz Republic as a contribution to the Universal Periodic Review.

II. Violations of human rights obligations, considering applicable international human rights standards.

A. Freedom of thought, conscience, and religion.

2. Article 7(1) of the 2010 Constitution stipulates that the Kyrgyz Republic will have no state religion; Article 7(2) states that “religion and cults shall be separated from the state”, which dangerously fails to establish a distinction between what constitutes a legitimate faith and what is a ‘cult’. Article 20(1) guarantees that the Kyrgyz Republic shall never implement legislations which “deny or derogate human and civil rights and freedoms”, one of which is listed in Article 20(5)(5) as “freedom of choice and possessing religious or other beliefs”. Constitutional Article 31 expounds upon this liberty, stating that all civilians are entitled to freedom of “conscience and belief”, the right to “confess” one’s faith in public or in private, and freedom from coercion to “deny” their beliefs.¹
3. Article 4 of the 2008 Law on Freedom of Conscience and Religious Organizations states: “the limitation of rights or establishment of any privileges of citizens dependent upon their attitude toward religion, as well as the incitement of enmity and hatred, or the intentional offense of the feelings of citizens in connection with their attitude towards religion, the desecration of sacred or other religious cult objects, entails liabilities in accordance with the legislation of the Kyrgyz Republic.”²
4. In late August 2024 the State Commission for Religious Affairs (SCRA), the National Security Committee (NSC) and the Interior Ministry published a draft legislation on an official government website and opened the forum for online public discussion. The proposed 2024 Law on Freedom of Religion and Religious Associations, will replace its 2008 predecessor and would (1) mandate faith communities to acquire state registration in order to practice; (2) obligate faith communities applying for registration to provide biographical details of no fewer than 200 founding members, an association charter, financial documents, and a property deed or lease to establish headquarters; (3) prohibit all religious activities by ‘unregistered’ faith communities; (4) require religious groups to re-apply for state recognition every five years; (5) grant the SCRA and NSC authority to veto religious association registration applications in case of “possible involvement in terrorist and extremist” activities; (6) prohibit Muslims from establishing associations outside of the state-controlled Muslim Board; (7) permit SCRA management and censorship of religious literature and material; (8) outlaw the distribution of religious material in public; and (9) grant the SCRA oversight of religious educational curriculum and instruction materials. The website portal includes a ‘justification’ for the law provided by the government claiming that the objective is “to improve the legislative framework, fulfill the international obligations of the Kyrgyz Republic, and ensure continuity and consistency of state policy in the religious sphere”.³ This new draft bill received

¹ [Kyrgyzstan] [Kyrgyzstan’s Constitution of 2010 with Amendments through 2016](#).

² [Kyrgyzstan] [Draft Law on Freedom of Conscience and Religious Organization in the Republic of Kyrgyzstan](#). ; United States Commission on International Religious Freedom (USCIRF), [Blasphemy Law Compendium](#), 2023.

³ Felix Corley, [“KYRGYZSTAN: Public discussion of latest repressive draft Religion Law”](#), *Forum* 18, 5 September 2024.

online comments from the public until 28 September 2024 and would come into effect on 1 February 2025 if approved. Many responses from civilians are negative, with criticisms focusing on these common themes: (1) granting government entities control over approving and denying faith communities' licenses, buildings, and activities violates the constitutional principle of secularism; (2) excessive obstacles to registration could disincentivize faith communities to apply for legal status or otherwise entrap them in a prolonged approval process, therefore forcing them into a legal limbo during which their 'unapproved/unauthorized' activity may be liable to criminal prosecution; (3) ambiguous language and absence of definitions and for "terrorism" and "extremism" can lead to unjust restrictions on legitimate manifestations of belief which may be offensive to some but are still protected by law; (4) superfluous restrictions on faith can cause "unnecessary administrative costs and complicate life for both citizens and authorities"; (5) prohibition of faith-based education in unauthorized institutions can encroach upon parents'/guardians' rights to instruct their children within the home according to their beliefs; (6) re-registering every five years involves paperwork and human resources which can "distract religious organizations from their core activities". One commenter summarized the issue succinctly, writing "Article 1.1 of this regulation declares the provision of rights, but subsequent paragraphs of the regulation are a list of responsibilities and restrictions".⁴

5. On the same day the government posted the 2024 draft Law on Freedom of Religion and Religious Associations, it additionally posted an Amending Law in the Area of Religion which would amend the 2021 Violations Code to expand "the scope of the exercise of freedom of religion or belief that would be punishable under this Article and sharply increase fines".⁵ Article 142 of the Violations Code, pursuant to the revisions introduced in 2024, would impose a KGS ₸20,000 (≈ USD \$234) fine upon individuals and a KGS ₸65,000 (≈ USD \$760) upon associations which (1) use a place of worship without government authorization; (2) "exercise freedom of religion or belief without SCRA permission"; (3) distribution of unauthorized religious materials; or (4) conduct faith-based instruction outside of a state-approved religious educational establishment.
6. In March 2023 authorities from the SCRA, the NSC and the "Department for the Struggle against Extremism and Illegal Migration" ambushed St. Nicholas Catholic Church in the Talas region immediately after a Sunday evening mass service concluded. Worshipers who were exiting the church at the time of the authorities' arrival were coerced by armed police to reenter the church where they were held hostage for 1.5 hours. The congregation was only permitted to vacate the premises after two Slovak nuns - Sisters Daniela Činčilová and Eva Eliašová - signed statements under duress that they were "guilty" of "illegal missionary activities" and "spreading their ideology". The two nuns were fined ₸7,500 each for "carrying out religious activity without registration at the executive state body for religious affairs". Days later SCRA officials wrote to the Catholic Apostolic Administration that it would take action to liquidate the association if more "violations" occurred.⁶ It was later revealed that the arresting officers believed the nuns presided over the Eucharist, conduct which a foreign national is permitted to undertake only if they have received a special certificate to do so; in reality, Sisters Činčilová and Eliašová did not preach the Eucharist but led two readings from the liturgical calendar, "in full compliance with the norms of the Republic".⁷
7. In March 2023 SCRA officials and local Departments for the Struggle against Extremism and Illegal Migration police raided a Protestant church, issuing fines to two foreigners for "illegal missionary activities".⁸

⁴ Koontalkuu, Единый портал общественного обсуждения проектов нормативных правовых актов Кыргызской Республики, [О свободе вероисповедания и религиозных объединениях](#), 29 August 2024.

⁵ *Supra* note 3.

⁶ Mushfig Bayram, "KYRGYZSTAN: Raids and fines on Catholics, Protestants, Hare Krishna devotees", 2 August 2023.

⁷ Agenzia Fides, "ASIA/KYRGYZSTAN - New details on the intervention of armed agents in the Catholic church of Talas", 29 March 2023.

⁸ Voice of the Martyrs Canada, "Fines for 'Missionary Activities'", 10 August 2023.

8. In June 2023 SCRA and Department for the Struggle against Extremism and Illegal Migration officers raided the wedding rehearsal of a Hare Krishna couple, fining them ₸7,500 each for “carrying out religious activity without registration at the executive state body for religious affairs”. Some rehearsal attendees were Indian students at a local university who were invited by the couple to teach the Hare Krishna traditional wedding dances; these students had their visas canceled and face deportation.⁹
9. In July 2023 Protestant Christian Aytbek Tynaliyev was sentenced to six months’ imprisonment on charges of “insulting Islam with his critiques of the state’s religious policy”; however, the prosecutor declined to explain further regarding which comments of Tynaliyev had offended Islam. He was released in September 2023, after which he was visited by the same official whose raid of his home in May 2023 led to his imprisonment and sentencing in July; the individual warned Tynaliyev to “be careful and not post religious materials or statements on social media”.¹⁰
10. In August 2023 Forum 18 received reports from numerous small clandestine churches - who requested anonymity - that they are avoiding applying for registration with the government as doing so would reveal the identity of clergy and congregants and expose them to state “reprisals” and “interference”. Some other Protestant churches remain unregistered because they do not meet the minimum 200-founding-member threshold stipulated in the 2008 Religion Law. Both the communities of Kyrgyz Jehovah’s Witnesses and Hare Krishna practitioners have made endless unsuccessful attempts to apply for state recognition.¹¹
11. In August 2023 NSC press informed the public that it had shut down 39 mosques and 21 madrassas in Osh region the previous month on various charges including “violat[ing] sanitary norms”, being unregistered, and “violat[ing] other legal norms”. Less than one week later, three Muslim members of the shuttered Al Sarakhsi Mosque in Kara Suu District - Asadullo Madraimov, Mamirjan Tashmatov, and Mahamatayubhon Mashrapov - posted a video criticizing mosque closures. Interestingly, the three men’s mosque was reopened the day after the video’s upload; however, Madraimov, Tashmatov, and Mashrapov were arrested the following month in October after a Justice Ministry “expert” concluded that their video was illegal and “incit[ed] religious hatred”.¹² Two of the men, Madraimov and Tashmatov, remain imprisoned and were convicted of instigating public discord through the use of the internet.¹³
12. In November 2023 legislator Sharapatkan Mazhitova introduced a bill which would prohibit women from wearing niqabs (locally termed parandzhas) and men from growing long beards in the interest of “public security”; violators would be liable to a fine or 40 hours of community service. Mazhitova claimed that the government must “take measures at the state level now, as it will be too late tomorrow”. However, she declined to explain what connection she saw between Islamic dress and alleged extremism; instead, she argued that parandzha bans do not encroach upon religious freedom. Many lawmakers disagreed with the controversial bill, noting that there are more pressing concerns the government should be focusing on. Zhamal Frontbek-kyky, leader of the Kyrgyz Muslim women’s association Mutakallimraisad, raised concerns about the dangers of conflating legitimate manifestations of faith and supposed extremism, stating “one must not link the niqab with radicalism and extremism. We are not an authoritarian state that issues bans”.¹⁴ Mazhitova’s propose niqab ban did not move forward; however, in late 2024 the Kyrgyz State Commission amended Article 127-1 of the Code on Offenses to include a provision criminalizing “wearing

⁹ Mushfig Bayram, [“KYRGYZSTAN: Raids and fines on Catholics, Protestants, Hare Krishna devotees”](#), 2 August 2023.

¹⁰ Catherine Putz, [“US Religious Freedom Watchdog Recommends Kyrgyzstan for Special Watch List”](#), *The Diplomat*, 3 May 2024.

¹¹ Mushfig Bayram, [“KYRGYZSTAN: Fear of state reprisals for registration applications grows”](#), *Forum 18*, 9 August 2023.

¹² Mushfig Bayram, [“KYRGYZSTAN: Raids, closures of mosques, madrassas, Muslim critics arrested”](#), *Forum 18*, 15 December 2023.

¹³ United States Commission on International Religious Freedom (USCIRF), [Asadullo Madraimov](#); USCIRF, [Mamirzhan Tashmatov](#).

¹⁴ Farangis Najibullah, [“Kyrgyzstan Mulls Banning Women’s Islamic Niqab, Men’s Bushy Beards Over ‘Security Fears’”](#), *Radio Free Europe / Radio Liberty*, 17 November 2023.

clothing that does not allow identification of a citizen in government agencies and public places, with the exception of clothing related to work and official activities, as well as covering the face for medical reasons".¹⁵ This amendment discriminatorily excludes any similar exemptions for faith communities who wear religious clothing and headscarves.

13. In January 2024, detained "eccentric" former presidential candidate Arstanbek Abdyl daev was found hanged in his jail cell.¹⁶ Abdyl daev was originally arrested and detained in December 2023 on charges of "inciting religious hatred" as he had, according to State Committee for National Security officials, "consider[ed] himself a 'new god', a 'savior', and consider[ed] other religions, beliefs, and views to be inferior, weak, and invalid delusions".¹⁷ Authorities declared Abdyl daev's death a suicide, but the circumstances are currently being investigated by the Justice Ministry due to the rise in suspicious deaths in detention of public political dissidents during Japarov's presidency. One week prior to his death, Abdyl daev was diagnosed with heart disease, hypertension, and "an unspecified personality disorder and hallucinations". Justice Minister Ayaz Baetov claims that unreleased surveillance footage he analyzed from Abdyl daev's time in prison depicted him allegedly exhibiting "clear signs of suicidal behavior"; however, Abdyl daev's children reject this narrative, noting that their father was in "good spirits" when they last spoke over the phone, and raising suspicion about numerous bruises on Abdyl daev's body.

Recommendations.

We urge the Kyrgyz Republic to:

14. Simplify the registration process for religious organizations to ensure it is non-discriminatory and accessible to all groups, regardless of size or religious affiliation; guarantee that no group is denied registration or religious freedoms based on religious bias or arbitrary criteria, and provide legal recourse for groups that face these issues;
15. Avoid state interference in religious activities, especially the prohibition of unregistered religious groups, as this violates the freedom to practice religion without state control; introduce provisions for temporary recognition of faith communities while their registration applications are under review, ensuring that groups are not left in legal limbo and subject to criminal prosecution during the application process;
16. Clarify and narrow the definitions of "terrorism" and "extremism" in the law to prevent their misuse against religious organizations engaged in legitimate, peaceful practices; establish judicial oversight for decisions related to terrorism or extremism to ensure that such determinations are subject to legal review, protecting religious communities from unchecked government power;
17. Clarify the legal definitions of "incitement to religious hatred" and "public discord" to ensure that these laws are not used to target peaceful criticism or religious debate; the law should clearly distinguish between speech that incites violence or hatred and speech that simply expresses discontent or challenges authority;
18. Eliminate the five-year re-registration requirement, or at a minimum, introduce a streamlined renewal process that requires minimal paperwork for religious groups that have previously been granted registration and have demonstrated compliance with existing laws;

¹⁵ Kaktus Media, ["В Кыргызстане хотят запретить ношение одежды, закрывающей лицо"](#), 2 September 2024.

¹⁶ Radio Free Europe / Radio Liberty, ["Eccentric Kyrgyz Opposition Politician Dies In Pretrial Custody"](#), 5 January 2024.

¹⁷ Chris Rickleton, ["Anger In Kyrgyzstan As Self-Proclaimed 'New God' Becomes The Latest Prison Death"](#), *Radio Free Europe / Radio Liberty*, 8 January 2024.

19. Establish a formal consultation mechanism that includes representatives from diverse religious communities, civil society, and human rights experts to provide input on any future revisions to laws which affect faith communications and their rights to manifest their beliefs;
20. Protect the right to peaceful assembly and worship by ensuring that religious communities, including minority and foreign religious organizations, are allowed to gather and practice their faith without state interference or intimidation;
21. Establish regular dialogue mechanisms between the SCRA, religious leaders, and civil society to discuss issues related to religious freedom, prevent misunderstandings, and address grievances in a constructive manner;
22. Uphold the right to freedom of expression, including the right of religious communities to voice concerns about government policies that affect their practices;
23. Ensure that regulations on public dress comply with international human rights standards, which protect the right to express one's religion through attire.