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Kyrgyz Republic

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provided for freedom of religion, but the government restricted the expression of religious belief in practice. Following a change of government in April 2010, 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.

Neither the provisional government nor the "caretaker" government have announced new policies or laws that infringe on religious rights; however, they have 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. The State Commission for Religious Affairs (SCRA) was responsible for promoting religious tolerance, protecting freedom of conscience, and overseeing laws on religion. All religious organizations, including schools, must apply for approval of registration from SCRA.

After the change of government and until the end of the reporting period, there was widespread social upheaval and violence, which the provisional government was unable to forestall. Throughout the reporting period, tensions continued between Muslims and converts from Islam to other religious groups, 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. The U.S. government sponsored lectures, discussions, and exchanges to promote awareness of international religious freedom standards, religious tolerance, and interaction between religious groups and the state.

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 their 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 Shi'a. 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 five 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 49 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 faith. One Buddhist temple serves the small Buddhist community. There are 12 registered Baha'i houses of worship. During the reporting period, SCRA approved the registration of 58 religious organizations and 76 missionaries.

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 be concentrated. 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

The new constitution provides for freedom of religion. However, other laws and policies included provisions that could limit the free practice of religion. The provisional government continued the policy of restricting the activities of Islamic 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 status of the 2009 Religion Law has not been addressed by either the provisional government or the "caretaker" government that is to hold power until parliamentary elections. The law was upheld by the Constitutional Court on July 24, 2009, but the Constitutional Court was itself dissolved by the provisional government on April 12, 2010. 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 of all religious organizations with SCRA. SCRA can deny or postpone the certification of a particular religious group, if it believed the proposed activities of that group were 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.

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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 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.

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 deems as mainstream, if they 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 to teach traditional Islamic values.

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.

The provisional government expressed concern publicly about groups it viewed as extremist because of radical religious or political agendas, particularly Hizb ut-Tahrir (HT). The HT Islamist political movement remained banned under the extremism law. Because HT was primarily a political organization, albeit motivated by religious ideology, and because it did not condemn terrorist acts by other groups, authorities' actions to restrict HT and prosecute its members were not regarded as restrictions on religious freedom. The government was particularly concerned about the threat of political Islam, whose followers it labeled "Wahhabists."

Established in 1993 the muftiate was 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 publication. The muftiate had the authority to ban publications that did not meet established standards, an authority that it initiated and the prior government supported.

The prior mufti resigned on April 8, 2010, following the overthrow of the government and died due to illness on July 7. A new mufti had not been elected at the end of the reporting period.

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.

Restrictions on Religious Freedom

The 2009 Religion Law includes provisions that further restricted religious freedom. The government continued to restrict the activities of Islamic groups it considered threats to security, as well as other law abiding religious groups.

In 2003 the Supreme Court sustained a ban on four political organizations, citing extremism and alleged ties to international terrorist organizations: 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.

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 still not registered at 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 because they must have at least 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 is not valid in another city.

In August unregistered groups of Protestant Christians, Hare Krishna, and Ahmadiyya Muslims throughout the country were ordered by authorities to stop meeting. Many of the groups had registered in Bishkek and were unaware that registration in one city did not allow religious activity in other cities.

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. At least one foreign missionary was deported. The government did not provide information on the reason for the deportation.

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.

On February 19, 2009, the minister of education signed a decree that officially banned students from wearing religious clothing, particularly the hijab (traditional Islamic headscarf) in public schools. On March 10 after local NGOs and parents gathered signatures in protest of the decree, the minister amended the decree from an official ban to a recommendation. NGOs reported that disputes between public school directors and students regarding religious clothing had been resolved. There have been no reports of schoolgirls being harassed for wearing the hijab.

Abuses of Religious Freedom

Witnesses reported that on May 10 to 13, 2010, 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.

On April 9, 2010, two days after the change of government, unknown persons threw gasoline bombs at the local Jewish synagogue, causing some damage to the building, but no injuries.

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

In 2008 Nookat administration officials 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. Clashes between the authorities and Muslims ensued after the unexpected ban on Eid celebrations. Thirty-two participants were charged with incitement of mass disorder, attempted disruption of the constitutional order, and attempted spread of ethnic and religious hatred, among other crimes. All 32 defendants were convicted and sentenced to between five and 17 years in prison. Officials claimed that the defendants, along with other demonstrators, were supporters of or affiliated with HT. Following the change of government in April, the provisional government issued a special amnesty decree, and all 32 defendants were released on May 18, 2010.

Representatives of Jehovah's Witnesses reported that on March 19 to 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.

Forced Religious Conversion

There were no reports of forced religious conversion.

Section III. Status of Societal Respect for Religious Freedom

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. Both Muslim and Russian Orthodox spiritual 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 from wearing 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.

USAID's legal education program brought together secondary students from secular and religious schools to discuss the relevance of law to religious and ethnic conflict concerns.

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