

International Religious Freedom Report 2009

The Constitution provides for freedom of religion. However, other laws and policies threatened to limit the free practice of religion. The Constitution provides for the separation of religion and state, and it prohibits discrimination based on religion or religious beliefs. The Government did not officially support any religion; however, a 2006 decree recognized Islam and Russian Orthodoxy as "traditional religious groups." The State Agency for Religious Affairs (SARA) is 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 SARA.

Government respect for religious freedom was restricted during the reporting period. On January 12, 2009, the Law on Freedom of Religion and Religious Organizations ("Religion Law") was enacted, establishing numerous restrictions on the activities of religious groups. The Government continued to monitor and restrict Islamic groups it considered threats to stability and security and hampered the registration process for some Christian churches.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Tensions continued between Muslims and former Muslims who had converted to other religious groups.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. During the period covered by this report, the U.S. Embassy monitored the drafting and implementation of the new 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 5.2 million. Data from a 2008 National Statistics Committee report indicated the following ethnic breakdown: Kyrgyz, 69.2 percent; Uzbeks, 14.5 percent; Russians, 8.7 percent; Dungans (ethnic Chinese Muslims), 1.2 percent; Uighurs (ethnic Turkic Muslims), 1 percent; and other ethnicities, 5.4 percent.

Islam is the most widely held faith. Official sources estimated that 80 percent of the population is Muslim. Almost all Muslims are Sunni; there are approximately 1,000 Shi'a. According to SARA, as of June 2009 there were 1,706 mosques, of which 1,679 were registered. There also were seven institutes for higher Islamic teaching. According to recent official estimates, 11 percent of the population is Russian Orthodox, although some experts believe the figure could be as low as 8 percent. The country has 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 a smaller percentage 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," 49 Jehovah's Witnesses, and 30 Seventh-day Adventist communities. There are three Roman Catholic churches. 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, SARA approved the registration of an additional three Islamic and two Christian religious education institutions and 61 Islamic and Christian religious organizations.

Islam is practiced widely throughout the country in both urban and rural areas. Russian Orthodox believers typically are concentrated in cities with a larger ethnic Russian population. Other religious groups more commonly practice in the cities where their smaller communities tend to be concentrated. There is a correlation between ethnicity and religion; ethnic Kyrgyz are primarily Muslims, while ethnic Russians usually belong 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 are no data available on active participation in formal religious services, a significant number of Muslims and Russian Orthodox adherents appear to be nominal believers and do not practice their faith actively. Religious practice in the south is more traditional and devout than in other regions.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion. However, other laws and policies threatened to limit the free practice of religion. The Government restricted the activities of Islamic groups it considered to be extremist and threats to security. The 2007 Constitution defines the country as a sovereign, unitary, democratic social state based on the rule of law with separation of religion and state.

Article 8 of the Constitution prohibits the formation of political parties on religious and ethnic grounds, as well as activities of religious organizations that jeopardize the state, constitutional system, or national security. Article 85 of the Constitution gives the Constitutional Court the authority to determine the constitutionality of a religious organization's activities.

While the 2009 Law on Freedom of Religion and Religious Organizations affirms that all religions and religious organizations are equal, the law introduced significant restrictions. Article 4 of the 2009 Religion Law prohibits the involvement of minors in religious organizations. Article 5 of the law strictly prohibits the conversion of citizens from one religion to another (proselytism). While Article 22 of 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 are subject to examination by state experts. The law prohibits the distribution of religious literature and materials in public locations, including individual households, schools, and other institutions.

The Religion Law requires the registration of all religious organizations with SARA. SARA 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 are prohibited from actions such as renting space and holding religious services, although many hold 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 SARA for review. SARA recommends rejection when a religious organization does not comply with the law or is considered a threat to national security, social stability, interethnic and interdenominational harmony, public order, health, or morality. An applicant whose registration is denied may reapply and may appeal to the courts. The registration process with SARA is often cumbersome, taking a month to several years for completion. Each congregation must register separately.

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 is necessary to own property, open bank accounts, and otherwise engage in contractual activities. If a religious organization engages in commercial activity, it is required to pay taxes.

Missionaries of various religious groups may operate with restrictions and are required to register annually. Since 1996 SARA has registered more than 1,203 foreign citizens as religious missionaries, 46 of whom were registered during the reporting period. Any religious entity founded by a foreigner must reregister each year with SARA, although the process is much less cumbersome than the initial registration.

The Religion Law allows for the teaching in public schools of religious science disciplines the state deems as mainstream if they do not conflict with the country's laws. Under the auspices of the Muftiate, volunteers called Davatchi visited villages in the south to teach traditional Islamic values.

The Government recognizes two Muslim holy days, Kurman Ait (Eid al-Adha) and Orozo Ait (Eid al-Fitr), and Orthodox Christmas as national holidays. The President and the Government send greetings to Muslims and Orthodox adherents on their major holy days, and the greetings are printed in the mass media.

The Government continued to express concern publicly about groups it viewed as extremist because of radical religious or political agendas, particularly Hizb ut-Tahrir (HT). HT is an extremist Islamist political organization motivated by a socioreligious ideology that is virulently anti-Semitic and anti-Western and calls for the overthrow of secular governments. The Government was particularly concerned about the threat of political Islam, whose followers it labels "Wahhabists."

Established in 1993, the Muftiate (or Spiritual Administration of Muslims of Kyrgyzstan) 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 Ulemas, 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 has the authority to ban publications that do not meet established standards, an initiative it started and the Government supports.

The Islamic University oversees 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.

According to a February 2008 government press statement, Prime Minister Chudinov approved an action plan designed to prevent the "proliferation of extremism, fundamentalism, and religious conflicts." The initiative aims to curb the activities of religious extremist groups

presumed to be operating in the country.

A 2005 law on "Countering Extremist Activity" seeks to "halt extremist activities by religious organizations or groups." Law enforcement officials continued under this law to detain members of banned organizations, such as HT, for distributing leaflets and other materials deemed extremist.

Restrictions on Religious Freedom

Upon passage of the 2009 Law on Freedom of Religion and Religious Organizations, respect for religious freedom was further restricted. The Government continued to restrict the activities of Islamic groups it considered threats to security.

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. On June 16, 2008, the Pervomaisky district court of Bishkek identified one additional religious group, Jamaat al-Jihad al-Islamias, as a terrorist organization. During a press conference in May 2008, the head of SARA estimated underground membership in HT to have reached 15,000.

Several religious groups had difficulties registering. The Church of Jesus Christ of Latter-day Saints (Mormons), which initially applied for registration with SARA 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 last 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.

Several Christian groups reported delays in receiving visas for their missionaries who attempted to visit the country. At least three foreign missionaries were deported for violation of their visa status or other laws in relation to their religious activities.

SARA regularly monitored religious services, taking photographs and asking questions. A SARA official stated that personnel from the agency would attend religious services regularly in order 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 or 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 continued.

Abuses of Religious Freedom

There were no further reports on the investigation into the 2006 alleged killing by security service special forces of Mukhammadrafiq Kamalov, imam of the largest mosque in Karasuu. Security officials believed he was affiliated with the banned Islamic Movement of Uzbekistan, allegations that his family denied and that officials later conceded may have been incorrect. On several occasions during the period covered by this report, police detained members of the Islamic political organization HT for the distribution or possession of leaflets, DVDs, or CDs with

content deemed by the authorities to be of an extremist nature. In general, defendants were fined or given suspended sentences for these offenses.

On October 1, 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.

Representatives of the Jehovah's Witnesses reported that on March 19-20, 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, including of minor U.S. citizens who had been abducted or illegally removed from the United States who had not been allowed to be returned to the United States.

Section III. Status of Societal Respect for Religious Freedom

There was evidence of periodic tension in rural areas between conservative Muslims, on the one hand, 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 criticized the proselytizing activities of nontraditional Christian groups.

Protestant pastors complained of ongoing difficulties interring deceased parishioners who had converted from Islam to Christianity. Local Islamic and community leaders opposed the burial of converts in Islamic cemeteries. Officially, cemetery plots are under government control, but usually local Islamic figures oversee them. The Government allocated additional land for Protestant cemeteries in an effort to resolve the problem; however, the scarcity of such cemeteries forced Christians to travel great distances to bury their deceased.

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.

During the period covered by this report, the U.S. Embassy monitored the drafting and implementation of the new Religion Law and maintained contact with government officials regarding religious affairs. Embassy representatives met with leaders of religious communities, including minority groups, and with NGOs monitoring religious freedom.

The U.S. Agency for International Development (USAID) sponsored a series of events to promote awareness of religious freedom, including a roundtable with Members of Parliament and civil society on the new law on religion. USAID's legal education program brings together secondary students from secular and religious schools to discuss the relevance of law to religious and ethnic conflict issues.

Through the U.S. Government-funded Community Connections program, 30 religious leaders representing a variety of denominations and government officials who have a supervisory role over religious affairs traveled to the United States. Three groups of 10 participants learned about overcoming contemporary challenges professional women face in Islam, the comparison of religious and secular education, and the role of medical professionals and religious leaders in community development.

During the reporting period, the Embassy conducted several presentations for students of theology departments in Bishkek and southern provinces on religious freedom, diversity, and tolerance in the United States and distributed publications in Russian and Kyrgyz about Muslim life in the United States.