

KYRGYZ REPUBLIC 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of conscience and religion and bans religious groups from actions inciting religious hatred. It establishes the separation of religion and state and prohibits pursuit of political goals by religious groups. There were reports of gun battles where police killed a number of escaped Muslim prisoners who had been jailed for religious extremism and terrorism. There were also reports of arrests of individuals police suspected of supporting extremist organizations. Jehovah's Witnesses were subjected to beatings and put on trial for illegal religious activity. The authorities maintained bans on approximately 20 "religiously oriented" groups they considered to be extremist. Minority religious groups continued to face difficulties in registering, but some unregistered groups said they were able to hold religious services without government interference.

An Ahmadi Muslim human rights activist was killed in December by individuals associated with an organization linked to Da'esh (Islamic State of Iraq and the Levant), according to police. In November two men physically attacked the director of the Religion, Law, and Politics Analytical Center; they were later apprehended in Turkey and as of the end of the year were awaiting extradition to stand trial in the Kyrgyz Republic. The Hazreti Umar Islamic University continued to work on development of a standardized curriculum for Islamic schools to curb the spread of religious extremism.

The U.S. Secretary of State visited the country in late November, meeting with President Almazbek Atambaev and Foreign Minister Erlan Abdyldaev as part of consultations with regional leaders to promote cooperation against violent extremism. The U.S. Ambassador and embassy officers met with government officials to discuss government restrictions on certain minority religious groups. Embassy representatives observed judicial proceedings against Jehovah's Witnesses. The embassy met with religious leaders and representatives of nongovernmental organizations (NGOs) to discuss the registration of religious groups and other issues. Embassy programs emphasized religious tolerance and dialogue.

Section I. Religious Demography

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The U.S. government estimates the total population at 5.7 million (July 2015 estimate). According to Kyrgyz government estimates, approximately 85 percent of the population is Muslim, the vast majority of which are Sunni, with a Shia minority of less than 1 percent. There is also a small Ahmadiyya Muslim community not reflected in government figures estimated to include 1000 individuals according to an international organization. Five percent of the population is estimated to be Russian Orthodox; and approximately 10 percent are unaffiliated or adhere to other religious groups, including Baptists, Lutherans, Pentecostals, Presbyterians, charismatics, Seventh-day Adventists, Jehovah's Witnesses, Roman Catholics, Jews, Buddhists, and Bahais.

Islam is the main religion in both urban and rural areas. Members of the Russian Orthodox Church and other non-Muslim religious groups live mainly in major cities. Ethnic Kyrgyz and Uzbeks are primarily Muslim, while ethnic Russians most often belong to the Russian Orthodox Church or one of several Protestant denominations.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of conscience and religion, the right to practice or not practice a religion, individually or jointly with other persons, and the right to refuse to express one's religious views. It bans actions inciting religious hatred.

The constitution establishes the separation of religion and state. It prohibits the establishment of religiously based political parties and the pursuit of political goals by religious groups. The constitution prohibits the establishment of any religion as a state or mandatory religion.

The law states all religions and religious groups are equal. It prohibits the involvement of minors in organized, proselytizing religious groups, "insistent attempts to convert followers of one religion to another (proselytism)," and "illegal missionary activity," defined as missionary activity of groups not registered with the State Commission on Religious Affairs (SCRA).

The law requires all religious groups, including schools, to register with the SCRA, which is responsible for overseeing the implementation of the law's provisions on

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religion. Groups applying for registration must submit an application form, organizational charter, minutes of an institutional meeting, and a list of founding members to the SCRA for review. Each congregation of a religious group must register separately. Foreign religious organizations are required to renew their registration with the SCRA annually.

The SCRA is legally authorized to deny the registration of a religious group if it 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. The SCRA may also deny or postpone the certification of a particular religious group if it deems the proposed activities of the group are not religious in character. Denied applicants may reapply or may appeal to the courts.

Unregistered religious groups are prohibited from actions such as renting space and holding religious services. Violations may result in an administrative fine of 500 soms (\$7).

After approval by the SCRA, a religious group must complete the registration process with the Ministry of Justice (MOJ) to enable it to obtain status as a legal entity so it may own property, open bank accounts, and otherwise engage in contractual activities. The organization must submit an application to the MOJ, which includes a group charter with an administrative structure and a list of board and founding members. If a religious group engages in a commercial activity, it is required to pay taxes. By law, religious groups are designated as nonprofit organizations exempt from taxes on their religious activities.

The law gives the SCRA authority to ban a religious group as long as the SCRA delivers written notice to the group stating it is not in compliance with the law. The group may appeal the decision in the courts.

The law prohibits religious groups from “involvement in organizational activities aimed at inciting ethnic, racial, or religious hatred.” A conviction for inciting ethnic, racial or religious hatred may lead to a prison term of three to eight years while a conviction for creating an organization aimed at inciting ethnic, racial or religious hatred may lead to a term of five to 10 years. Murder committed on the grounds of ethnic, racial, or religious hatred is punishable by life imprisonment.

According to the law, only individuals representing registered religious organizations may conduct missionary activity. If a foreign missionary represents an organization approved by the SCRA, the individual foreign missionary must

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apply for a visa with the Ministry of Foreign Affairs. Visas are valid for up to one year and a missionary is allowed to work three consecutive years in the country. All religious foreign entities, including missionaries, must operate within these restrictions and must reregister annually. Representatives of religious groups acting inconsistently with the law may be fined or deported. Violations of the law may result in fines in the amount of 1000 soms (\$14), and deportation in the case of foreign missionaries.

The law provides for the right of religious groups to produce, import, export, and distribute religious literature and materials in accordance with established procedures, which include examination by state “experts.” The criminal code does not define the criteria for religious “expert.” The law prohibits the distribution of religious literature and materials in public locations or in visits to individual households, schools, and other institutions. The law specifies fines based on the nature of the violations.

The law allows private and public schools a rarely invoked option to offer religion courses which discuss the history and character of religions as long as the subject of such teaching is not religious doctrine and does not promote any particular religion.

In August parliament adopted new legislation on military service which lists religion as grounds for conscientious objection. According to the law, conscientious objectors must pay a fee of 18,000 soms (\$240) to opt out of military service. Draft-eligible males must pay the fee before turning 27 years of age. Failure to pay by the age limit will require the person to perform 24 days of military training, consisting of theoretical and practical training. Draft-eligible men who do not fulfill their one-year military obligation or pay a fee in lieu of military service are subject to a fine or imprisonment of up to two years. The option of performing alternative service no longer exists.

Government Practices

There were reports of gun battles where police killed a number of escaped Muslim prisoners who had been jailed for religious extremism and terrorism. There were also reports of arrests of individuals police suspected of supporting extremist organizations. Jehovah’s Witnesses were subjected to beatings and put on trial for illegal religious activity. The authorities maintained bans on approximately 20 “religiously oriented” groups they considered to be extremist. Some minority

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religious groups continued to face difficulties in registering, but unregistered groups said they were able to hold religious services without government interference.

In October international media reported police, in the course of a week-long manhunt in and around Bishkek, had killed three individuals characterized as Muslim extremists who had been jailed for religious extremism as well as terrorism, but had escaped prison after killing several guards. Other Muslim escapees were recaptured. A number of civilians were reportedly killed in gun battles between the police and the escapees.

In August police from the Ministry of the Interior reportedly broke up a prayer meeting of 50 Jehovah's Witnesses in Osh, physically mistreating up to six of those present and arresting 10, after threatening to shoot an unspecified number of the worshipers. The police charged Nurlan Usupbaev, the leader of the service, with illegal religious activity. Usupbaev was severely beaten. A Canadian lawyer defending Usupbaev stated police officers filmed victims, their attorneys, and witnesses both inside and outside the courthouse during the trial, and followed them on the street, which he said was an attempt at intimidation. The Osh City Court dismissed the case against Usupbaev. In September the Osh city prosecutor appealed the case to the Osh Regional Court. In October the Regional Court upheld the lower court ruling and refused to re-open the case against Usupbaev.

Usupbaev and other victims filed a complaint with the Osh city prosecutor's office against the police involved in the mistreatment. The prosecutor's office refused to initiate criminal proceedings, however, citing a "lack of facts and circumstances" to support a case against the officers.

On February 9, officers of the Ministry of Internal Affairs detained Rashod Kamalov, an ethnic-Uzbek imam of the Al-Sarhsi Mosque in the town of Kara Suu. Kamalov's attorneys said police found literature connected to the banned religious organization Hizb ut-Tahrir (HT) in his possession. Police alleged 10 residents of Kara Suu filed complaints saying Kamalov convinced their children to join the battle for Da'esh in Syria. According to Kamalov's attorney, only one of the 10 residents testified in support of the prosecution at trial. The others denied Kamalov had convinced their children to fight in Syria. Police also stated they had video evidence of Kamalov giving a sermon calling for the establishment of an Islamic caliphate.

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Kamalov's attorneys stated the arrest was part of a wave of arrests of members of HT and other banned religious organizations. Kamalov's attorneys said none of the material reportedly found in his possession contained extremist messages. Kamalov's trial began on July 23 and on October 7 the Kara-Suu District Court found Kamalov guilty of fomenting religious discord, and of possessing and disseminating extremist materials. He was sentenced to five years imprisonment. His lawyers appealed the sentence, but on November 24, the Osh Regional Court upheld the verdict, while also finding Kamalov guilty of abuse of authority, a charge the Kara Suu District Court had dismissed. The Osh Regional Court increased Kamalov's prison term to 10 years.

On September 10, police detained 20-year-old Abdully Nurmatov, an ethnic Uzbek residing in Kara-Suu, for allegedly "liking" posts supportive of Imam Kamalov on Odnoklassniki.ru, a social media platform. According to a leading human rights lawyer, police searched his home on September 10, and then released him on September 11 to house arrest during the period of the investigation. Nurmatov's attorney, Husunbai Saliyev, reported his client was bruised and beaten upon his release. Nurmatov's father said his son was beaten until he was unconscious.

Law enforcement authorities stated they recorded 294 extremist crimes during the year. They opened criminal cases for 124 of these crimes and arrested 239 people. Police identified and arrested several women for disseminating extremist materials, participating in religious extremist activities, or recruiting youth to extremist organizations. The arrests were publicized in some press outlets, but as of year-end, no further information was available.

Human rights activists and attorneys said the increase in HT arrests which began in 2014 continued. Authorities "registered" 1,846 people they classified as religious extremists and of these they classified 1,347 as HT. Registration meant the police picked up potential suspects for questioning in advance of a possible decision to arrest them. Often police registered people as extremists without a subsequent arrest, but registration kept their names in police files. Police charged 40 HT members and sentenced 23 to prison terms.

The government continued to restrict the activities of Muslim groups it considered threats to security. Authorities maintained bans on approximately 20 "religiously oriented" groups, including al-Qaida, the Taliban, the Islamic Movement of Eastern Turkistan, the Kurdish Peoples' Congress, the Organization for the Release of Eastern Turkistan, HT, the Union of Islamic Jihad, the Islamic Party of

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Turkistan, the Unification (Mun San Men) Church, Takfir Jihadist, Jaysh al-Mahdi, Jund al-Khilafah, Ansarullah, At-Takfir Val Hidjra, Akromiya, Da'esh, Djabhat An Nusra, Katibat al-Imam al-Buhari, Jannat Oshiqdari, and the Church of Scientology. Authorities also banned all materials or activities connected to A.A. Tihomirov aka Said Buryatsky,

The government considered membership in HT as well as any activity on behalf of the group as illegal. Law enforcement officials classified 1,847 persons as active members of religious extremist organizations in Bishkek. According to MOI's report, 1,386 persons in Bishkek were HT members out of approximately 3,000 HT members and 20,000 supporters in the entire country. The report also stated there were 158 Salafis in Bishkek. There were 106 individuals accused of affiliation with extremist or terrorist organizations who continued to serve prison sentences.

Of the total number of registered members of religious extremist organizations, 23 percent were reportedly women. Sixty-two percent of members of extremist groups registered by MOI were residents of the south and 74 percent of crimes of an extremist nature as determined by the MOI occurred in the south. HT members were mostly active in the south, where 70 percent of the arrests of HT members occurred. The authorities also observed HT activity in Talas and Chui Provinces.

Attorneys handling HT cases stated members of the State Committee on National Security (GKNB) arrived at a home of a suspected extremist falsely claiming to have a search warrant, entered the home, located or "planted" printed material promoting HT, and arrested the suspect. Law enforcement officials reported they seized over 7,000 texts they characterized as extremist.

In December President Atambaev conducted a year-end press conference in which he answered several questions on religious extremism and terrorism. He supported stripping the citizenship of individuals who went abroad to fight on behalf of religious extremist organizations. Atambaev criticized religious leaders who he said "preyed" on people's ignorance of the Quran.

In July Prime Minister Temir Sariyev proposed building separate prison facilities for those imprisoned for religious extremism. The government did not provide religious materials to prisoners charged with affiliation with banned religious groups, according to NGOs, but the government allowed them to practice their religion and conduct prayers in prison.

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The authorities reported 2,600 mosques; 81 Islamic high schools; 68 Muslim foundations, centers, and unions; more than 380 Christian organizations and unions; 26 foreign Protestant organizations; one Jewish community; one Buddhist community; and 12 Bahai Faith communities as registered – a similar number to previous years.

Religious groups said the registration process with the SCRA was cumbersome, taking anywhere from a month to several years to complete. Unregistered groups said they held regular religious services without government interference. In particular, they said the authorities did not act against groups which had been registered in the past, such as the Russian Orthodox Church, if their annual application for reregistration was pending.

Although the government did not list the Ahmadiyya Muslim community as a banned organization, the SCRA continued to deny it reregistration. The Ahmadiyya community had initially registered in 2002.

Local courts did not enforce a September 2014 Constitutional Chamber ruling declaring unconstitutional the section of the religion law requiring a group to have 200 adult citizen members before a registration application could be approved. Jehovah's Witness leaders reported authorities continued to deny registration to groups if they did not have 200 members in each region. They said this created an impossible situation because without the required minimum number of members, groups could not register, and without registration they could not meet and recruit members to fulfill the minimum registration requirement.

There was no specific procedure for hiring or evaluating the experts performing the examination of religious literature which groups wanted to distribute. According to religious studies academics, the experts were employees of the SCRA or religious scholars with whom the agency contracted. Attorneys stated the SCRA experts were biased in favor of prosecutors, and were not formal "experts" under the criminal procedure code.

According to representatives of religious groups, refusing either to serve or to pay a fee to opt out of military service could subject an objector to hardship because military service was a prerequisite for employment in the government and with many private employers.

Section III. Status of Societal Respect for Religious Freedom

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In December Ahmadi Muslim Yunusjan Abdujalilov, a human rights activist, was killed in front of his home in the Jalalabad region. Police detained nine suspects in connection with the murder, who they said were members of an organization linked to Da'esh. As of year's end, the GKNB continued to investigate the case.

In November two men attacked Kadyr Malikov, Director of the Religion, Law, and Politics Analytical Center while he was leaving a Bishkek convenience store, resulting in cuts to his face and neck. According to the GKNB, the suspects, identified as Tilek uulu Alibek and Yryskul Beishenaliev, left the country for Kazakhstan after the attack, and then flew to Turkey on November 27. As of the end of the year, both suspects were detained in Turkey pending extradition to face charges in connection with the attack.

The highest Islamic administrative body in the country, the Spiritual Administration of Muslims of the Kyrgyz Republic, known as the "muftiate," remained responsible for overseeing all Islamic entities, including institutes, madrassahs, and mosques. According to the constitution, the muftiate was an independent entity, but according to NGOs the government exerted influence over the office, including the mufti selection process.

The Hazreti Umar Islamic University, an institution affiliated with the muftiate, continued to oversee the work of all Islamic schools, including madrassahs and secondary schools, with the stated aim of developing a standardized curriculum and curbing the spread of religious teaching deemed extremist by either the muftiate or the SCRA. The curriculum development was expected to take years.

Section IV. U.S. Government Policy

The Secretary of State visited the country October 31-November 1, meeting with President Atambaev and Foreign Minister Abdyltaev. Discussions included the necessity for regional cooperation to protect human rights and individual freedoms, and to counter violent extremism.

The U.S. Ambassador, Charge and embassy officers met with government officials, including the SCRA, to discuss government restrictions on certain minority religious groups and to urge greater religious tolerance. Embassy officers monitored the judicial proceedings against the Jehovah's Witnesses. Embassy officers met with representatives of the muftiate, leaders of religious groups,

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NGOs, and civil society representatives to discuss changes in the religion law, countering violent extremism, the ability of independent groups to register, and the rights of religious minorities.

The embassy sponsored U.S. Muslim clerics and public figures from the United States to speak on the importance of interfaith dialogue and religious tolerance. The embassy also sponsored English language programs at local madrassahs to provide students with better access to international religious dialogue and improved prospects for higher education and employment. The embassy continued to fund NGOs whose programs fostered religious tolerance.