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KYRGYZSTAN: Crackdown follows new Religion Law

By Mushfig Bayram, Forum 18 (<https://www.forum18.org/>)

Since the entry into force of Kyrgyzstan's new Religion Law in January, officials of the Prosecutor's Office, Police, National Security Service secret police, local Executive Authorities and the State Agency for Religious Affairs have checked up on many religious communities, Forum 18 News Service has learned. Jehovah's Witnesses in Maili-Suu faced raids and summonses in April. "The Police told our members that in the light of the new Law they have no rights to distribute or to keep any religious literature at their homes," their lawyer Mikhail Kokhanovsky told Forum 18. Police told Forum 18 they had to confiscate the literature to check if it is "legally permitted". Officials have checked up on whether Protestant churches have been involved in sharing their faith and whether children are involved in religious activity. One foreign Protestant was forced to leave the country in early May. Bishkek's Hare Krishna community – which has been told a "secret instruction" bans it from registering – fears it will never be able to gain legal status.

In the wake of Kyrgyzstan's newly adopted Religion Law, the authorities have been cracking down on religious organisations across the country, Forum 18 has learned. Although regulations to enact the new Law are not yet in place, religious communities have already faced the practical implications of the restrictive new Law. Officials have checked up on the documentation of religious communities, where they meet and whether any foreigners working with them have the necessary permit. They have warned religious communities not to share their faith with others and not to give out religious literature. In one town, Jehovah's Witnesses had religious literature confiscated in April. A foreign Protestant leading a church in the capital Bishkek has been forced to leave the country.

Officials of the Prosecutor's Office, Police, National Security Service (NSS) secret police and local Executive Authorities as well as from the State Agency for Religious Affairs have checked up on many Protestant churches, Forum 18 has learned. Religious communities of a variety of faiths in Bishkek and various regions have received warnings to bring their activity into order and make the necessary changes to their founding documents to bring them into line with the new Law.

The controversial Law was adopted by the Kyrgyz Parliament on 6 November 2008 and signed by President Kurmanbek Bakiyev on 31 December. It entered into force on its official publication on 16 January. Officials have claimed that a new Commission is working to resolve three controversial elements of the Law – on restrictions on sharing faith, distributing literature and on the high threshold of 200 adult citizen members required before religious communities can gain the compulsory state registration. Officials told Forum 18 that only after the Commission has completed its work will regulations enacting the Law be produced (see F18News 27 May 2009 http://www.forum18.org/Archive.php?article_id=1301).

Three homes of Jehovah's Witnesses in south-western Kyrgyzstan were raided by the local Police in April and all their religious literature was confiscated. "The Police told our members that in the light of the new Law they have no rights to distribute or to keep any religious literature at their homes, although they were not distributing literature," Mikhail Kokhanovsky, the Jehovah's Witnesses' lawyer in Bishkek, complained to Forum 18 on 22 May. The Law's Article 22.6 bans distribution of religious literature, print and audio-video materials in public places – on the street, house-to-house, in children's institutions, schools and higher education institutions.

Several Protestant churches in Bishkek have been forced to move the place where they meet for worship in recent months, Protestants told Forum 18. Among them is the Khudoy Jamaat (Assemblies of God) Church. Without its own place of worship, the church was using the building of Bishkek's Silk Road Bible College. Forum 18 has learned that the church is meeting in a new place.

Many religious communities have complained to Forum 18 that they have not been able to officially register in the past two years, and now with the new Law's requirement of a minimum 200 founding members for many it will be impossible to register. With the adoption of the new Law, unregistered religious activity is now banned.

Shailibek Orkunbaev and Kanatbek Murzakhalilov, two officials of the State Agency for Religious Affairs in Bishkek, gave Forum 18 contradictory remarks on whether any new organisations have been registered in the recent past.

Neither Haji Lugmar Guahunov, Deputy Head of Kyrgyzstan's Muslim Board, nor Fr Igor Dronov, the Diocesan Secretary of the

Russian Orthodox Church in Kyrgyzstan, complained to Forum 18 of specific problems for their communities in the wake of the adoption of the new Law.

Authorities check up on and send warning letters to organisations

By late February state officials had checked up on at least six Protestant churches in Bishkek, examining their registration documents, missionaries' permits and the places where they met. Such check ups have continued since February there and elsewhere in the country, Protestants from across Kyrgyzstan told Forum 18.

The officials checking up "warned that they will strip the registration of the organisations if they find instances of proselytism," Aleksandr Shumilin, Chair of Kyrgyzstan's Baptist Union, told Forum 18 on 22 May from Bishkek.

The officials check up not only on whether a church has been involved in sharing their faith but also on whether children are involved in religious activity, Shumilin pointed out. "The officials demanded that the churches produce the signatures of parents permitting their children to attend church services as the new Law requires."

In one instance, leaders of a Protestant church in a Region away from the capital were even summoned to the office of the Regional Governor, Protestants who asked not to be identified for fear of reprisals complained. "The governor warned us not to involve children in religious activity and not to proselytise," they told Forum 18, asking that the location of the church not be identified.

The Prosecutor's Office in another region issued a written warning – of which Forum 18 has seen a copy - to a Protestant church to bring its activity into line with the Law. The church told Forum 18 that they have already sorted out the problem with the Prosecutor's Office, and did not want Forum 18 to investigate the issue further for fear of reprisal.

Also warning religious organisations to make the necessary changes and amendments to their founding documents was Department of Kyrgyzstan's Justice Ministry in the north-western Talas Region. In an official letter of 4 February to religious organisations in the Region, of which Forum 18 has seen a copy, M. Karmyshakov, the Justice Department's Head, informs them of the adoption of the new Law and demands that they "make necessary changes" to their founding documents in order to bring them into line with it.

Changes made to founding documents in turn would require the religious organisations to re-register, according to Orkunbaev, Secretary of the State Agency for Religious Affairs in Bishkek. Asked whether existing registered religious organisations need to re-register now, he told Forum 18 on 20 May that they will not have to do so unless they change their names or statutes. "The law does not have retroactive force," he insisted.

Contrary to the Talas Justice Department's warning, Orkunbaev said that religious communities are not obliged to make changes to their founding documents in order to harmonise them with the new Law. "They simply will function according to the parts of their charters that correspond to the new Law," he explained to Forum 18. "The Law will take precedence over points in their charters which are not in line with it."

Asked to explain the warning letter, Nurkaly Solpiyev, the Chief Specialist on registration issues at Talas Regional Justice Department, insisted it was "just a recommendation" to religious organisations. "They may or may not make changes to their documents," he told Forum 18 from Talas on 25 May. He said religious organisations would not be penalised in any way for not making changes to their documents. Asked what then the purpose of the letter was, Solpiyev responded: "It is to let the organisations know that if they make any changes they will have to officially register the changes."

Aida Ibraeva of Bishkek's Baha'i community said officials have not yet checked up on her community. She told Forum 18 that she was surprised to hear that other organisations have already been instructed to make changes to their founding documents. "I do not want to worry before time, but I cannot see how we will re-register if we have to."

Jehovah's Witnesses raided and religious literature confiscated

Jehovah's Witnesses have already been affected by the new Law's ban on the distribution of literature. Police in the town of Maili-Suu in Jalal-Abad Region of south-western Kyrgyzstan raided the homes of three local Jehovah's Witnesses on 19 April and confiscated all their religious literature "without making official records," Kokhanovsky, the Jehovah's Witnesses' lawyer, told Forum 18. Some 54 books and magazines were seized.

"The Police told our members that in the light of the new Law they have no rights to distribute or to keep any religious literature at their homes, although they were not distributing literature," Kokhanovsky complained.

Nine Jehovah's Witnesses were summoned to Maili-Suu town police station on 20 April at around 2 pm. Six of them were released at around 5 pm after they were compelled to write statements, while the other three were then taken to the local department of the NSS secret police. The three were only released at 9 pm after further questioning, Kokhanovsky told Forum 18.

Three Jehovah's Witnesses were once again summoned to the Maili-Suu Police on 30 April. "They were warned that in addition to the ban on the distribution, they were also not allowed to preach their religion in their homes," Kokhanovsky added.

Usmanov (he did not give his first name), a Deputy Police Chief of Maili-Suu, told Forum 18 his officers seized the literature from the Jehovah's Witnesses for "religious expert analysis" to see "if it is legally permitted". He declined to answer further questions, referring all enquiries to fellow Deputy Police Chief Oroz Turganbaev. "Turganbaev seized it," he said. "Please, ask him." Turganbaev's phones went unanswered on 25 and 26 May.

No new organisation registered for over a year

Religious communities have often faced difficulty in recent years in gaining state registration, with many complaining that none of their new communities have been registered in this time. Some have told Forum 18 that the requirements of the new Law will make registration either impossible or much harder still.

Kokhanovsky, the Jehovah's Witnesses' lawyer in Bishkek, complained that the State Agency for Religious Affairs has refused registration to their congregations in Naryn, Jalal-Abad and Osh Regions. "We submitted the documents for registration almost two years ago," he told Forum 18 on 22 May. He pointed out that the Agency several times returned the documents, insisting that the statutes needed further "corrections". In September 2008 they were told to wait until after the Law was adopted.

Kokhanovsky said that when he personally visited the Agency most recently in April to ask about the progress of their registration applications, officials told him: "We can register you only if you can fulfil all the requirements of the new law."

Orkunbaev of the State Agency for Religious Affairs said that although the regulations to apply the new law were not in place yet, new organisations wishing to get state registration could already approach them. "We gave registration to a few organisations since the law came into force," he claimed to Forum 18 on 20 May. However, he would not give the names of the organisations.

The State Agency's Murzakhalilov, nevertheless, gave contradictory comments to Forum 18 on the registration issue. "It's been more than a year now that no new organisations have approached us for registration." He said existing organisations could continue with their current registration but "new ones will have to wait until after the regulations to the Law are in place."

Synarkul Muraliyeva (Chandra Mukkhi) of Bishkek's unregistered Hare Krishna community said they were told in the past by various law-enforcement agencies, when being summoned and questioned that "there is a secret instruction" not to register the community. "With the new provisions of the Law we cannot actively convert others to our faith, cannot distribute literature freely and openly, and do not have 200 founding members," she complained to Forum 18 on 22 May. "This is a very restrictive law."

Muraliyeva said that at the moment the Hare Krishna community has no official, open meetings. "How can we then reach more people if we cannot function normally?" she asked.

Murzakhalilov denied that the Hare Krishna community had been unfairly denied registration. He claimed that its founding documents were not in order when it asked for registration more than a year ago. "They have not approached us since then," he insisted.

Foreigner forced to leave

A foreign citizen who was leading a Protestant congregation in the capital Bishkek was forced to leave the country in early May after the NSS secret police took away the five-year residence permit, church members told Forum 18 on 25 May. The foreigner had lived in Kyrgyzstan for some years and had already renewed a visa and obtained a new five-year permit earlier this year from the Interior Ministry's Visas Department. Article 12.3 allows foreign missionaries to function in Kyrgyzstan for no more than three years.

Another foreign Protestant, the New Zealander Edward Sands, was forced to leave Kyrgyzstan in June 2008. The NSS accused Sands, the Rector of the Protestant interdenominational United Theological Seminary in Bishkek, of violating the then Religion Law by having allowed the city's Protestant International Church to hold services in its building without the church being officially registered there (see F18News 20 June 2008 http://www.forum18.org/Archive.php?article_id=1145). (END)

For background information see Forum 18's Kyrgyzstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=222.

More reports on freedom of thought, conscience and belief in Kyrgyzstan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=30>.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at

http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Kyrgyzstan is available at
<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kyrgyz>.

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