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KYRGYZSTAN: "Restore religious freedom at least to the level we had before Bakiev"

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

Following ex-President of Kyrgyzstan Kurmanbek Bakiev's departure, Forum 18 News Service has found that Protestant, Catholic, Baha'i, Hare Krishna, and Jehovah's Witness communities and civil society human rights groups are critical of the harsh Religion Law brought in by Bakiev, and want it to be abolished or radically changed. No-one from the state-backed Muslim Board was willing to talk. Kanybek Imanaliyev, speaking for the Interim Government led by Roza Otunbaeva, told Forum 18 that "we want to establish freedom of speech and freedom of religion. We will reform the Constitution, the laws as necessary and the Religion Law." Asked whether religious communities will be able to carry on their normal religious activity while the laws are being changed, Imanaliyev said that "no one can answer that question at the moment," but he did not think there would be any conflicts. Tamilla Zeynalova of the Baha'is told Forum 18 that "we want the new government to restore the religious freedoms at least to the level we had before President Bakiev." Many are uncertain what may happen, a Russian Orthodox Church priest commenting that "it is difficult to say what will take place." Commenting on Interim Government promises to change laws for the better, the Jehovah's Witnesses told Forum 18 that "we hope they will keep their promise. We will wait and see."

Following ex-President of Kyrgyzstan Kurmanbek Bakiev's departure from the country, Forum 18 News Service has found that a wide range of religious communities and civil society human rights groups want the authorities to respect freedom of religion or belief. Many are highly critical of the harsh new Religion Law brought in by Bakiev's government in 2009, and want it to be abolished or radically changed.

The Religion Law was strongly criticised by a wide range of Kyrgyz and international religious communities and human rights defenders, including the Organisation for Security and Co-operation in Europe (OSCE), the European Union, and members of the European Parliament. Tursunbek Akun, the country's Human Rights Ombudsperson, told Forum 18 that "this Law is not in accord with international human rights standards". The Law's harsh provisions include: a ban on children being involved in religious organisations; a ban on "aggressive action aimed at proselytism"; a ban on the distribution of religious literature, print, and audio-video religious materials; and de facto compulsory re-registration of all registered religious organisations (see F18News 13 January 2009 http://www.forum18.org/Archive.php?article_id=1240).

Since the Law's entry into force, state actions have included banning unregistered religious activity and raids on meetings for worship. The government showed little sign of either a willingness to implement human rights commitments, or an understanding that genuine security depends on genuine respect for human rights (see F18News' December 2009 Kyrgyzstan religious freedom survey http://www.forum18.org/Archive.php?article_id=1388).

"We want to establish freedom of speech and freedom of religion"

Kanybek Imanaliyev, Head of the Press Service of the Interim Government led by Roza Otunbaeva, told Forum 18 on 15 April that "We want to establish freedom of speech and freedom of religion. We will reform the Constitution, the laws as necessary and the Religion Law."

Asked whether religious communities will be able to carry on their normal religious activity while the laws are being changed, Imanaliyev said that "no one can answer that question at the moment. We need to first stabilize the situation. However I do not think there will be any conflicts on religious grounds in the meantime. The people of Kyrgyzstan are tolerant to different religions and confessions."

He declined to speak further due to the pressure of other demands on his time, stating that "we are busy with taking care of the families of those who died [in the confrontation with government forces during demonstrations], and getting the country back to stability."

"The laws need to be amended including the Religion Law"

Kyrgyz human rights organisation Foundation for Toleration International told Forum 18 on 15 April that they have not changed their position since June 2009, when their President Raya Kadyrova asked the authorities "why citizens' rights to religious freedom should be considered as something that endangers public security." She also emphasised that the "voices and concerns of various religious groups were not heard by Kyrgyzstan's authorities."

Human rights defender Aziza Abdirasulova, of the Kylym Shamy (Candle of the Century) Centre for Human Rights Protection told Forum 18 on 15 April that "the situation not only in terms of religious freedom but of all human rights is very bad. The laws need to be amended including the Religion Law."

Alexandr Shumilin, Chair of Kyrgyzstan's Baptist Union, agreed with Abdirasulova. He told Forum 18 on 15 April that "we hope that the Religion Law will be amended. We want to be given freedom to teach children our faith. We want all the confessions to be treated equally."

Bishop Nikolaus Messmer SJ, Apostolic Administrator of the Catholic Church, told Forum 18 on 15 April that "days before the confrontation and the departure of the government, we as some other members of religious communities were invited to an extraordinary Congress under President Bakiev. We had the feeling the government was about to make changes to the Religion Law."

Speaking of his hopes for the future, Bishop Messmer hoped "that the new government will make the necessary changes. We want more freedoms for missionaries and their visa issues to be resolved."

No-one from Kyrgyzstan's state-backed Muslim Board was willing or available to talk to Forum 18 on 15 April. Unofficial Muslim sources are normally unwilling to speak publicly for fear of state reprisals.

Human rights defender Abdirasulova also stated that "the departing government had recently promised that they would amend the new Religion Law, which gave more privileges to the traditional Islam in Kyrgyzstan and discriminated against different Muslim and non-Muslim religious groups."

Under a state "National Security Concept", the State Commission for Religious Affairs (SCRA) was under Bakiev preparing Regulations to apply the Religion Law, a Religious Education Law, and a Law on 'Traditional' Religions. Officials claimed to have made the text of the Regulations public, although no-one who Forum 18 spoke to – apart from officials – had seen the text. The draft Religious Education Law was strongly criticised in an OSCE / Council of Europe Venice Commission legal review http://www.legislationline.org/download/action/download/id/2864/file/139_REL_KYR%2021%20Sept%202009_en.pdf - as was the Religion Law itself in a separate legal review before it was signed into force by Bakiev. Officials claimed to have invited some named religious communities to a roundtable discussion on the Religion Law Regulations, although the same religious communities told Forum 18 they were unaware of any invitation (see F18News' December 2009 Kyrgyzstan religious freedom survey http://www.forum18.org/Archive.php?article_id=1388).

"Restore religious freedom at least to the level we had before Bakiev"

Human rights defender Abdirasulova also noted that "the authorities treated pure Muslim people who made a pilgrimage to Mecca, who were actively praying in mosques as terrorists and extremists. This needs to change."

Tamilla Zeynalova of the Baha'i Community told Forum 18 on 15 April that "we want the new government to restore the religious freedoms at least to the level we had before President Bakiev's government." She pointed to the use by officials of discriminatory language, stating that "we do not want to be called sects in a derogatory manner. We want to be treated as a world religion equal to the so-called 'traditional' religions in Kyrgyzstan."

"We want to receive official registration and changes made to the latest law to take the discriminatory elements like the compulsory threshold of 200 members for registration out," Synarkul Muraliyeva, leader of the Hare Krishna community, told Forum 18 on 15 April. "We want to be given real freedom to worship without fear. We do not cherish illusions about the new government that we will be given all freedoms at once, but we hope for the better."

Vladimir Gavrilovski of the Jehovah's Witnesses also focussed on specific issues, telling Forum 18 on 15 April that "we want our congregations in Jalal-Abad and Naryn to be registered." He also wanted "discriminatory provisions such as the ban on free distribution of religious literature to be taken out of the Religion Law."

Alexandr Kim of the Association of Evangelical Churches of Kyrgyzstan, which includes a range of Baptist, Lutheran and other Protestant churches, wanted constitutional change. "We hope that the new government will not make the same mistakes the old government made," he told Forum 18 on 15 April. "We want the principle of religious freedom to be explicitly and clearly prescribed in a new Constitution."

However, Kim cautioned that "we do not know what will those in power do now."

"It is difficult to say what will take place"

Bishop Messmer of the Catholic Church told Forum 18 that he "did not know what to expect now. In the centre of Bishkek everything seems to be fine and stable but we hear rumours that the situation is not very stable outside Bishkek."

Father Igor Dronov of the Russian Orthodox Church commented to Forum 18 on 15 April that "it is difficult to say what will take place." He noted that "some strange people came to the church and asked us what President Bakiev and his spouse Tatyana Bakieva had given the church as gifts, telling us to return it as it was part of the national patrimony." However, Fr Dronov continued, "fortunately we did not receive any gifts from the President."

"We hope they will keep their promise. We will wait and see"

Zeynalova of the Baha'i Community stated that "our devotees had encounters with the members of this Interim Government in the past, and they gave us positive signals that they were for religious freedoms".

"The Interim Government promised that they would change the laws for the better," Gavrilovski of the Jehovah's Witnesses told Forum 18. "We hope they will keep their promise," he continued. "We will wait and see."

Shumilin of the Baptist Union told Forum 18 that "it's difficult to say what exactly will take place but I think not very much will change. Kyrgyzstan is part of the Shanghai Co-operation Organisation [along with China, Kazakhstan, Russia, Tajikistan, and Uzbekistan], and these countries usually differentiate between so-called 'traditional' religions and other religions, giving more privileges to 'traditional' religions." He thought that "no matter who comes into power in Kyrgyzstan, that kind of approach will remain".

Human rights defender Abdirasulova of Kylym Shamy pointed to the uncertainty many in Kyrgyzstan have about what is happening, noting that "there is dual power in the country. The Interim Government has the power but does not have responsibilities and those who left the power have not laid down their responsibilities." (END)

For background information see Forum 18's Kyrgyzstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1388.

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 compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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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