

KYRGYZ REPUBLIC 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees freedom of conscience and religion and bans religious groups from undertaking actions inciting religious hatred. It establishes the separation of religion and state and prohibits pursuit of political goals by religious groups. The law requires all religious groups to register with the government and prohibits activity by unregistered religious groups.

Authorities maintained bans on 21 “religiously oriented” groups they considered extremist and detained at least 39 members of one group for distributing banned religious material. On May 30, Radio Free Europe/Radio Liberty reported that five suspected members of the banned Islamic Yakyn Incar religious group were arrested in raids in March and May. Police said that during the raids, they confiscated books, flyers, and computer-data storage devices containing material that promoted the group’s ideology. In its annual report, Jehovah’s Witnesses stated that a criminal case against it that followed a government raid on its offices in Bishkek in 2021 remained open. Nongovernmental organizations (NGOs) reported that the government continued to arrest social media users who circulated or “liked” digital content that the government considered extremist - especially religious literature connected to banned groups. The State Commission on Religious Affairs (SCRA) continued to refuse to register Jehovah’s Witnesses congregations in the south of the country, based on a nullified provision of law that formerly required religious groups to register also with local councils, with the most recent denial coming in November. In May, the SCRA denied the importation of a religious text by Jehovah’s Witnesses.

The government did not always separate those considered violent extremists from inmates incarcerated for lesser crimes, according to NGOs, particularly in women’s prisons. NGOs also said the government did not always provide religious materials to prisoners convicted of affiliation with banned religious groups. In August, following actions that included an intervention from the President’s office, the Bishkek city council rescinded an eviction notice against the country’s only private Jewish school. The notice had generated online harassment and antisemitic comments on social media. According to Christian

activists, non-Muslim religious minorities continued to face difficulties arranging for burial of their dead in public cemeteries. An SCRA-proposed solution, which would divide public cemeteries by religion so that all faith groups have burial space, was not implemented at all local levels, according to Christian activists. In a report issued in December, the UN Human Rights Committee (UNHRC) expressed concerns about the country's "burdensome registration requirements" for smaller religious minorities and called on the government to "expedite the adoption" of legislative amendments proposed in 2021 to ease these restrictions. The UNHRC report also expressed concern about "the excessive censorship of religious materials" imposed by the government, and it called on the government to prevent "discrimination on religious grounds" in regulating cemeteries and allocating places for burials.

There were two reports of societal harassment of minority religions, including community harassment directed against a Christian organization, and online harassment directed towards members of the Jewish community in connection with the Bishkek city council's efforts to evict the Jewish school from its property.

In May, following online harassment against the Jewish community in Bishkek, a U.S. embassy officer met with a representative of the Bishkek city council to emphasize the importance of religious tolerance. Embassy officers also raised U.S. concerns about the harassment with senior government officials and coordinated with other foreign missions that raised similar concerns with the government. In August, October, and December, an embassy officer met with representatives from the SCRA to discuss harassment against religious minorities, progress on religious legislation, and the status of government initiatives, including the introduction of religious education in schools and efforts to counter violent extremism. In October, an embassy officer met with Jehovah's Witnesses representatives, who discussed the group's ongoing court hearings regarding the pending registration of its congregations in the south of the country. Embassy officers met throughout the year with religious leaders, including representatives of minority religious groups and with representatives of NGOs and civil society groups, to discuss instances of harassment, religious education as a part of civic education, and the rights of religious minorities.

Section I. Religious Demography

The U.S. government estimates the total population at 6.1 million (midyear 2022). According to government estimates, approximately 90 percent of the population identifies itself as Muslim, the vast majority of whom are Sunni. The government estimates the Shia community makes up less than 1 percent of the Muslim population. There is also a small Ahmadiyya Muslim community not reflected in government figures and last estimated by an international organization in 2020 to include 1,000 individuals. According to government estimates, approximately 7 percent of the population is Christian, of which an estimated 40 percent are Russian Orthodox and the remaining 60 percent are divided among Catholics, Lutherans, Baptists, Pentecostals, and Adventists. Jews, Buddhists, Baha'is, and unaffiliated groups together constitute approximately 3 percent of the population. Adherents of Tengrism, a folk religion that has taken on a nationalist character in the country since 2013, estimate there are 50,000 followers in the country. According to government estimates, there are over 3,000 religious organizations registered in the country, of which approximately 87 percent are Muslim and 12 percent are Christian. Of the registered Christian organizations, Evangelical Baptist comprise 32 percent, Russian Orthodox 25 percent, Jehovah's Witnesses 22 percent, Lutherans 11 percent, Catholics 4 percent, and other denominations 6 percent. The remaining 1 percent of registered religious organizations are shared between Jews, Buddhists, and Baha'is.

According to the National Statistics Committee, as of January, ethnic Kyrgyz make up approximately 74 percent of the population, ethnic Uzbeks approximately 15 percent, and ethnic Russians approximately 5 percent. Ethnic Kyrgyz and ethnic Uzbeks are primarily Muslim. Ethnic Russians are primarily adherents of the Russian Orthodox Church or one of several Protestant denominations. Members of the Russian Orthodox Church and other non-Muslim religious groups live mainly in major cities.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for 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 prohibits 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 “persistent actions aimed at converting followers of one religion to another” and “illegal missionary activity,” defined as missionary activity of groups not registered with the SCRA, a government organization composed of presidential appointees that is responsible for overseeing the implementation of the law’s provisions on religion. The law also prohibits the involvement of minors in organized, proselytizing religious groups unless a parent grants written consent. The law prohibits the distribution of religious literature, including printed, audio, and video materials, in public places, including streets, apartment buildings, children’s institutions, and schools.

The law requires all religious groups and religiously affiliated schools to register with the SCRA. The law prohibits activity by unregistered religious groups. Groups applying for registration must submit an application that includes an organizational charter, minutes of the organizing meeting, and a list of founding members. Each congregation of a religious group must register separately and must have at least 200 resident founding citizens. Foreign religious organizations are required to renew their registrations with the SCRA annually. Although a 2016 Supreme Court decision nullified the requirement that religious groups register with local councils to establish new places of worship, in practice, the SCRA still maintains this requirement.

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 registration of a particular religious group if it deems the proposed activities of the group are not religious in character. Denied applicants may reapply at any time or may appeal to the courts. The law prohibits unregistered religious groups from actions such as renting space and holding religious services, including in private homes. Violations may result in an administrative fine of 7,500 som (\$88) for individuals and 23,000 som (\$268) for legal entities.

After the SCRA approves a group's registration as a religious entity, the group must register with the Ministry of Justice to obtain status as a legal entity in order to own property, open bank accounts, and otherwise engage in contractual activities. The organization must submit an application to the ministry that includes a group charter with an administrative structure and a list of board and founding members. By law, religious groups are designated as NGOs exempt from taxes on their religious activities. If a religious group engages in a commercial activity, it is required to pay taxes.

The law gives the SCRA authority to ban a religious group in cases in which courts concur that a religious organization has undermined the security of the state; undertaken actions aimed at forcibly changing the foundations of the constitutional system; created armed forces or propaganda advocating war or terrorism; engaged in the encroachment on the rights of citizens or obstruction of compulsory education of children; coerced members to remit their property to the religious group; or encouraged citizens to refuse to fulfil their civil obligations and break the law. The affected religious group may appeal the decision in the courts.

The constitution 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 prison term of five to 10 years. Conviction for murder committed on the grounds of religious hatred is punishable by up to life imprisonment.

The law mandates separate prison facilities for prisoners convicted of terrorism and "extremism." The law also allows for revoking the citizenship of any Kyrgyz national found to have trained to acquire skills to commit terrorist or extremist crimes outside the country. The law defines "extremist activity" as including the violent overthrow of the constitutional order; undermining the security of the country; violence or inciting violence on racial, national, or religious grounds; propagating the symbols or paraphernalia of an extremist organization; carrying out mass riots or vandalism based on ideological, political, racial, national, or religious hatred or enmity; and hate speech or hostility toward any social group.

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 must 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 foreign religious 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 of 1,000 som (\$12), and deportation in the case of foreign missionaries. In 2022, 11 illegal missionaries – citizens of Pakistan who were in the country on student visas – were fined for an attempt to conduct *davat* (proselytization activities) under local Tabligi Jamaat leadership in Bishkek. There were no deportations of religious group members in 2022.

The law provides for the right of registered religious groups to produce, import, export, and distribute religious literature and materials in accordance with established procedures, which may include examination by state experts. The law does not require government examination of religious materials (such as literature and other printed or audio or video materials), and it does not define the criteria for state religious experts. 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 requires law enforcement officials to demonstrate an intent to distribute extremist materials before arresting a suspect.

Military service for 12 months is obligatory for men, and members of religious groups are not exempt, although they can pay to opt out of military service. According to the law, religion is grounds for conscientious objection to and exemption from military service. Conscientious objectors must pay a fee of 18,000 som (\$210) to opt out of military service and must do so before turning 27 years of age. Failure to pay by the age limit requires the person to perform 108 hours of community service or pay a fine of 25,000 som (\$292). If males are unable to serve due to family circumstances, such as being the sole breadwinner or having a large number of children, and have not paid by the age limit, they must pay 18,000 som (\$210). Draft-eligible men who evade military service and

do not fall under an exemption are subject to a fine or imprisonment of up to two years.

The law allows public schools the option to offer religion courses that 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. Private religious schools need to register with the SCRA to operate as such. In September, based on a presidential decree, public schools introduced a new course on the “History of the Development of Religions” for all students in grades 7-9 that covers the history of world religions and their impact on national identity.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

The government maintained bans on 21 “religiously oriented” groups it considered to be extremist, including al-Qa’ida, the Taliban, Islamic Movement of Eastern Turkistan, Kurdish Peoples’ Congress, Organization for the Release of Eastern Turkistan, Hizb ut-Tahrir, Union of Islamic Jihad, Islamic Party of Turkistan, Family Federation for World Peace and Unification (Unification Church), Takfir Jihadist, Jaysh al-Mahdi, Jund al-Khilafah, Ansarullah, at-Takfir Val-Hidjra, Akromiya, ISIS, Djabhat an-Nusra, Katibat al-Imam al-Buhari, Jannat Oshiqdari, Jamaat al-Tawhid wal-Jihad, and Yakyn Inkar. Authorities also continued to ban all materials or activities connected to the Chechen Islamist militant leader A.A. Tihomirov (aka Said Buryatsky), whose activities and materials the Bishkek District Court deemed to be extremist in 2014. According to the law, banned groups cannot conduct any activities within the country, including publishing material online.

The government continued to arrest members of the pan-Islamic organization Hizb ut-Tahrir on extremism charges. According to local press, the government arrested at least 39 individuals it said were members of Hizb ut-Tahrir during the year, compared with nine the previous year. The 39 were detained under suspicion of distributing banned religious materials, either through in-person meetings or via social media networks, or for holding leadership positions in the organization. In most cases, those arrested were held in the State Committee for

National Security's pretrial detention center that housed individuals characterized by the government as violent extremists.

On May 30, Radio Free Europe/Radio Liberty reported that five suspected Yakyn Inkar members, including two local leaders, were arrested in raids in Osh Province in March and Chui Region in May. According to the security services, the local Yakyn Inkar leader in Chui operated several underground Islamic schools and dormitories in the province. Police said that during the raids, they confiscated books, flyers, and computer data-storage devices containing material that promoted the Islamic group's ideology.

NGOs reported that the government continued to arrest social media users who posted digital content that the government considered extremist, especially religious literature connected to banned groups. The government defined extremist activity as membership in a banned, "religiously oriented" organization, distribution of literature associated with a banned organization, and proselytizing on behalf of or financing a banned organization. According to the latest statistics available, in 2022, at least 246 cases were initiated under charges of "preparing or distributing extremist material," including the distribution of material over the internet, compared to 467 cases in 2020. There are no government statistics available on such cases in 2021. NGOs also noted, as in past years, that the number of arrests was higher among ethnic Uzbek communities in the south, and that police continued to target and harass them, usually in connection with the possession of banned religious literature or support of banned organizations. NGOs said there were some cases where such harassment and arrests were based on false testimony or planted evidence.

According to Jehovah's Witnesses, there were no government raids against them during the year. The criminal case that followed a March 2021 raid on the Jehovah's Witnesses office in Bishkek remained open, however, according to the group's annual report for 2022.

Jehovah's Witnesses reported that the SCRA continued to refuse to register their local houses of worship in the south of the country, with the most recent refusal occurring in November, based on the SCRA continuing to interpret the law as requiring religious groups to register with local councils to establish new places of worship. The SCRA continued to impose the requirement despite a finding by the

UNHRC in 2019 that it was in violation of Article 18 of the ICCPR and the constitution, and a Supreme Court ruling in 2016 that the requirement was unconstitutional. In June, in light of the UNHRC finding, the Supreme Court returned a Jehovah's Witnesses request for registration to the Bishkek city council for reconsideration that the city council had rejected in 2011. According to Jehovah's Witnesses, in response to the court's action, the SCRA stated that the UNHRC was not an international tribunal and that its views must only be considered, not implemented. In August, the city council agreed and refused to reconsider. Jehovah's Witnesses representatives stated that they appealed the decision to the Constitutional Court, but in November that court let stand the prior local Bishkek decision, which denied the Jehovah's Witnesses' registration. Jehovah's Witnesses representatives said they would file a lawsuit against the SCRA for its lack of action in registering their congregations.

Jehovah's Witnesses representatives stated that following unsuccessful attempts in 2019 and 2020, they did not file any new registration applications in 2022 and were reluctant to take any more action while the criminal case against them from the March 2021 government raid against them remained open.

In a 2021 publication, the UNHRC concluded that the country violated the Jehovah's Witnesses' fundamental right to practice their religion by refusing requests to register Jehovah's Witnesses centers in the Osh, Naryn, and Jalal-Abad regions in the south of the country.

Minority religious groups continued to report the SCRA registration process was cumbersome, in particular, the requirement to collect 200 signatures from citizens who identify as adherents. According to the Baptist Union, adherents continued to be pressured not to provide their signatures by those in their community who opposed the establishment of Christian groups. Christian activists continued to say that obtaining the formal approval of local governments remained an obstacle to registration, since local governments often rejected Christian organizations without a legal justification by asserting without evidence that area residents opposed the spread of Christianity to their communities.

In 2021, the government introduced amendments which would loosen some of the restrictions in the law governing freedom of religion and religious organizations but took no action on the amendments by the end of the year. The

amendments would formally abolish the requirement that religious organizations be approved by the relevant local government in addition to registering with the SCRA. The amendments would also require that individuals notify the government prior to undertaking religious education abroad and would abolish the 200-member minimum for registration as a religious organization in any given geographic location, which would make it easier for registered organizations to create smaller filial branches across the country.

The Tengrinists did not apply to register as a religious group during the year; they last applied for registration in 2018. In 2021, an SCRA official explained that the SCRA viewed Tengrinism as a collection of traditional beliefs, rather than a religion. Without registration, the Tengrinists were not allowed to worship officially or distribute religious material.

In its third periodic report on the country, published on December 9, the UNHRC stated its concerns “about the existing burdensome registration requirements for the registration of religious organizations representing smaller religious minorities in Kyrgyzstan, such as Baha’is, Protestants, Ahmadiyya Muslims, Jehovah’s Witnesses, Tengrinists and Zoroastrians.” The UNHRC called on the government to “expedite the adoption” of the 2021 amendments, to provide “a transparent and fair registration process for religious organizations and decriminalize any religious activity by unregistered religious organizations.

While the law does not require examination by authorities of all religious literature and materials, religious groups, including Jehovah’s Witnesses, again stated that the SCRA required they submit 100 percent of their imported religious material for review. According to Jehovah’s Witness representatives, the SCRA continued its practice of having individuals designated by the SCRA as experts examine imported religious materials submitted for review by religious organizations, although the law did not mandate such a review. In May, the SCRA denied importation of the 2022 issue of the Kyrgyz version of *Examining the Scriptures Daily*, a Jehovah’s Witness publication, objecting to language in the document that stated Witnesses do not worship or glorify human governments and that they believe only Jehovah has the right to rule over them. In its third periodic report, the UNHRC also expressed concern about “the excessive censorship of religious materials and restrictions on their use imposed by the [government].”

There continued to be no specific procedure used by the SCRA for hiring or evaluating the experts who examined religious literature that groups intended to distribute within their places of worship. According to religious studies academics, the SCRA continued to choose its own employees, or religious scholars whom the agency contracted to serve as experts. Attorneys for religious groups continued to state the experts chosen by the SCRA were biased in favor of prosecutors and were not formal experts under the criminal procedure code. The State Forensic Service, with support from SCRA on religious matters, screened the content of websites, printed material, and other forms of media for extremist content.

NGOs continued to report that prisoners considered to be violent extremists were not always separated from inmates incarcerated for nonviolent activities linked to religion, as required by law. Such nonviolent offenses included simple possession of materials from one of the 21 banned “religiously oriented” organizations the government considered extremist. NGOs said this grouping of inmates together could lead to broader radicalization of the prison population. NGOs again reported that prison authorities required Islamic religious literature other than the Quran or hadith (sayings or customs of Muhammad and his companions) to be approved by the muftiate. NGOs continued to report that the government did not always provide religious materials to prisoners convicted of affiliation with banned religious groups.

According to representatives of religious groups, refusal either to serve or to pay a fee to opt out of military service continued to subject conscientious objectors to hardship, because military service remained a prerequisite for employment in the government and with many private employers.

In August, following an intervention from the President’s office, the Bishkek city council rescinded an eviction notice against the country’s only private Jewish school. The city council had issued the notice citing the need to use the building for other purposes. The eviction notice generated harassment and antisemitic comments on social media, according to the Jewish community, including comments such as, “Jews must be thrown out,” and, “Jews should be castrated.” Community members noted that antisemitic comments also appeared on the social media posts of several Bishkek City Council members.

According to Christian activists, non-Muslim religious minorities continued to face difficulties arranging for burial of their dead in public cemeteries. Although the SCRA stated a government policy was in place to ensure that all religious groups would have burial space in public cemeteries, religious scholars stated the policy was not implemented in all local jurisdictions and that the SCRA was reluctant to push for implementation without the explicit support of local communities. In its third periodic report on the country issued in December, the UNHRC called on the government to “regulate the allocation of places for burials and the administration of cemeteries, preventing discrimination on religious grounds.”

The SCRA held an interfaith marathon in October with the stated goal of promoting mutual understanding among religious communities and the government by engaging in a healthy, nonconfrontational group activity.

Section III. Status of Societal Respect for Religious Freedom

According to Christian activists, incidents of the harassment of minority religious groups continued to occur, for the most part in cities outside of the capital that had majority Kyrgyz populations. The Norway-based NGO Forum 18 reported that a crowd threatened ethnic Kyrgyz Christians in northeastern Issyk-Kul Region in November. The crowd said that Christians would be driven from their homes if they did not convert to Islam, the region’s “traditional religion.” According to Forum 18, local authorities “calmed down the mob members and forced the two sides to make peace,” but they brought no charges against the perpetrators. Forum 18 stated that when such incidents happen, “Local [Christian] believers are afraid to complain to the authorities” because “they are afraid of reprisals from the state authorities and local mobs for complaining.”

The Baptist Union reported that local residents continued to harass the office of a Christian organization in Karakol, throwing stones and threatening legal action to evict them from their property on multiple occasions during the year because the residents were upset that religious activities were taking place in a residential building. The Baptist Union reported that it attempted with municipal authorities to rezone the property for commercial use (which would allow the Baptist Union to hold events there) but has been unsuccessful. The Baptist Union reported that a 2020 court case related to an attempt to seize the property of a Christian camp

near Lake Issyk-Kul was dismissed by a judge in 2021. The Union reported that a Christian summer camp at the site took place without incident during the year.

In December, SCRA deputy director Kanatbek Midin uuly told Forum 18 that there were “only isolated” cases of attacks and harassment against non-Muslims in the country and that such incidents “cannot cast a shadow on the generally positive situation for religious freedom” in the country.

Section IV. U.S. Government Policy and Engagement

In May, members of the Jewish community requested the embassy intervene with the government following the Bishkek city council’s attempt to evict the country’s only Jewish school from its property and online harassment directed against the Jewish community in that city. An embassy officer met with a representative of the city council in May to emphasize the importance of religious tolerance and nondiscrimination. Also in May, the embassy raised U.S. concerns about the harassment with senior government officials and coordinated with other foreign missions that raised similar concerns with the government.

In May, an embassy officer met with SCRA officials to discuss the government’s approach to violent religious extremism, including the government’s efforts to engage on community-level projects in the southern area of the country with international donors. SCRA officials discussed engagement with religious and community leaders to promote media literacy to discourage the spread of violent religious extremist views.

In August and October, an embassy officer met with SCRA officials to discuss proposed amendments to the Law on Religion, including a proposed simplified registration process for religious groups and religious objects. The embassy also discussed with SCRA the new religious education law and its implementation.

In October, an embassy officer met with Jehovah’s Witnesses representatives, who discussed the group’s ongoing court hearings regarding the pending registration of its congregations in the south of the country.

Throughout the year, embassy officers met with other religious leaders, including representatives of minority religious groups, and with representatives of NGOs

and civil society groups to discuss instances of harassment, religious education as a part of civic education, and the rights of religious minorities.

In September, the embassy concluded a 12- month interfaith project on preventing youth radicalization related to violent religious extremism. In partnership with the South Regional Department of the SCRA and Osh city administration, the project established an interfaith council in Osh and trained members of the council how to establish an interfaith dialogue in their community. The project also worked with youth communities in Osh, Jalal-Abad, and Batken on media literacy and critical thinking to help them recognize and reject violent extremist ideologies related to religion.