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**STATUS OF HUMAN RIGHTS IN THE KYRGYZ REPUBLIC
FOR THE 49TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Kyrgyz Republic (Kyrgyzstan) for the 49th session of the Universal Periodic Review (UPR).

Background

2. Kyrgyzstan is a country located in Central Asia and has a population of approximately 7.2 million people.¹ The population is predominantly Muslim, with 87.2% of the population identifying as Muslim, 4.4 as Christian, and 7.4% as nonreligious.² In its 2024 World Watch List, Open Doors listed Kyrgyzstan as the 61st worst country for Christians to live in.³ This ranking stems from the government’s oppressive laws that restrict the rights of Christians to practice their faith as well as its Muslim population that is openly hostile towards Christians, particularly those who convert from Islam.⁴

3. Kyrgyzstan’s last review was held on January 20, 2020.⁵ As a result of the review, Kyrgyzstan received 232 recommendations, 193 of which it supported.⁶ It was recommended by Croatia, and supported by Kyrgyzstan, that the government “[e]nsure the freedom of religion or belief, both in law and in practice, and root out all cases of religious persecution and the exploitation of laws against members of religious minority groups.”⁷ Further, it was recommended by the Holy See, and supported by Kyrgyzstan, that the government “[e]ase registration for religious communities and ensure the freedom of religion or belief in line with international standards.”⁸

¹ Denis Sinor & Edward Allworth, *Kyrgyzstan*, BRITANNICA (July 3, 2024), <https://www.britannica.com/place/Kyrgyzstan>

² *Kyrgyzstan: Major World Religions (1900-2050)*, THE ASSOCIATION OF RELIGION DATA ARCHIVES, <https://www.thearda.com/world-religion/national-profiles?u=126c>

³ OPEN DOORS, KYRGYZSTAN: FULL COUNTRY DOSSIER 4 (2024), <https://www.opendoors.org/research-reports/country-dossiers/WWL-2024-Kyrgyzstan-Full-Country-Dossier.pdf>

⁴ *Id.* 6.

⁵ *Universal Periodic Review – Kyrgyzstan*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/kg-index> (last visited July 9, 2024).

⁶ *Infographic – Kyrgyzstan*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session35/KG/kyrgyzstan_50781247.pdf (last visited July 9, 2024).

⁷ OHCHR, UPR of Kyrgyzstan (3rd Cycle – 35th Session): Thematic List of Recommendations, <https://www.ohchr.org/en/hr-bodies/upr/kg-index> (select “Matrix of Recommendations”) (last visited Oct. 9, 2024).

⁸ *Id.*

Legislative Framework

4. Article 34 of the Constitution of Kyrgyzstan states that:

1. Everyone shall be guaranteed freedom of conscience and religion.
2. Everyone shall have the right to profess any or no religion individually or in association with others.
3. Everyone shall have the right to freely choose and enjoy religious and other beliefs.
4. No one shall be compelled to express or deny their religious or other beliefs.⁹

5. However, Article 10 reserves the right for the government to restrict “activities that contradict moral and ethical values and public conscience of the people of the Kyrgyz Republic”¹⁰ and states that “[a] list of activities to be restricted and information to be restricted in access and dissemination shall be established by law.”¹¹

6. The government was quick to establish laws that restricted certain activities through Kyrgyzstan’s Law on Religion and the Violations Code. These laws severely restrict its citizens’ right to religious freedom.

7. Kyrgyzstan’s Law on Religion requires all religious organizations to register with the government and prohibits all unregistered religious activity.¹² Under this law, all “actions directed to proselytising of the faithful [i.e., Muslims] from one denomination to another (proselytism), as well as any other [undefined] illegal missionary work, are prohibited.”¹³ Additionally, all religious literature must be examined by the government, and the distribution of religious literature in public areas without permission is prohibited.¹⁴ Further, the law prevents all individuals under the age of eighteen from being active in religious organizations and religious organizations are not permitted at educational institutes, including universities.¹⁵

8. The Violations Code of Kyrgyzstan went into force on December 1, 2021, further codifying restrictions on religious liberty.¹⁶ Article 142 Part 3 of the Violations Code prohibits the “[d]istribution of literature, print, audio and video materials of religious nature in public spaces, as well as by going round homes, state or municipal institutions.” Additionally, Article 142 Part 4 prohibits “[c]arrying out religious activity without registration at the executive state body for religious affairs.”¹⁷ Further, Article 477 of the Violations Code authorizes the State Commission for Religious Affairs (SCRA) to investigate violations under Article 142.¹⁸

⁹ CONSTITUTION OF KYRGYZSTAN art. 34, <https://constsof.kg/wp-content/uploads/2022/06/constitution-of-the-kyrgyz-republic.pdf>.

¹⁰ *Id.* art. 10 § 4.

¹¹ *Id.* art. 10 § 5.

¹² *KYRGYZSTAN: Religious Freedom Survey January 2022*, FORUM 18 (Jan. 13, 2022), https://www.forum18.org/archive.php?article_id=2711.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

9. Kyrgyzstan is a party to the International Covenant on Civil and Political Rights (ICCPR).¹⁹ Under Article 18 of the ICCPR:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

...

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.²⁰

10. Further, under Article 27 of the ICCPR:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.²¹

11. Likewise, under Article 18 of the Universal Declaration of Human Rights (UDHR):

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.²²

Religious Persecution

12. The government and local authorities exert considerable control over Christians in Kyrgyzstan.²³ In its new constitution, Kyrgyzstan stated that it has the right to restrict “activities that contradict moral and ethical values and public conscience of the people of the Kyrgyz Republic.”²⁴ It quickly became apparent that Christianity contradicts the moral values

¹⁹ *Ratification Status for Kyrgyzstan*, OHCHR,

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=93&Lang=EN

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

²⁰ International Covenant on Civil and Political Rights art. 18, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171,

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> [hereinafter ICCPR].

²¹ *Id.* art. 27.

²² G.A. Res. 217 (III) A, Universal Declaration of Human Rights, art. 18 (Dec. 10, 1948).

²³ OPEN DOORS, KYRGYZSTAN: FULL COUNTRY DOSSIER 6 (2024), *supra* note 3.

²⁴ CONSTITUTION OF KYRGYZSTAN art 10 § 4.

of Kyrgyzstan. In 2021, the government implemented changes to its Violations Code which prohibited, among other things, “[c]arrying out religious activity without registration at the executive state body for religious affairs.”²⁵

13. Through requiring registration to carry out legal activity, the government is able to excerpt immense control over religion. One individual shared that failing to register puts religious organizations “in danger of being punished for their religious activity at any given moment.”²⁶ Even registered religious organizations are not immune from government surveillance, arrests, and fines. One Christian shared that “practically speaking, registration only gives you permission to exist” and that “[r]egistration does not give you the freedoms one should expect.”²⁷

14. During its last review, Kyrgyzstan supported a recommendation to “[e]ase registration for religious communities.”²⁸ However, Kyrgyzstan has made no efforts to do so but rather has taken steps to make registration more difficult. On August 29, 2024, a new draft Law on Religion that was prepared by the SCRA and the National Security Committee was introduced.²⁹ This proposed law would make registration more burdensome by requiring religious organizations to re-register every five years.³⁰ The law would also increase the number of members required for a religious organization to register.³¹

15. Kyrgyzstan’s laws and practices also infringe on the rights of its citizens to freely practice their faith by prohibiting the public distribution of religious literature and proselytizing. Banning proselytizing severely infringes on the rights of Christians to freely practice their faith, which requires them to share their religion with others. These restrictions allow the government to suppress Christians and is in contravention of the ICCPR, which provides the right for everyone “to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.”³²

16. Additionally, prohibiting individuals under the age of eighteen from participating in religious organizations is a gross violation of religious rites enshrined in the ICCPR. Again, Article 18 of the ICCPR states that “[e]veryone shall have the right to freedom of thought, conscience and religion.”³³ The ICCPR does not stipulate that only individuals over the age of eighteen shall enjoy this right. Christian families should be permitted to participate in religious organizations as a family.

17. Below are some recent examples of how Kyrgyzstan utilizes its laws to suppress Christianity.

²⁵ KYRGYZSTAN: *Religious Freedom Survey January 2022*, *supra* note 12.

²⁶ KYRGYZSTAN: *Fear of State Reprisals for Registration Application Grows*, FORUM 18 (Aug. 9, 2023), https://www.forum18.org/archive.php?article_id=2850.

²⁷ KYRGYZSTAN: “*Registration Only Gives You Permission to Exist*”, FORUM 18 (July 5, 2019).

²⁸ OHCHR, UPR of Kyrgyzstan (3rd Cycle – 35th Session): Thematic List of Recommendations, *supra* note 7.

²⁹ Felix Corley, KYRGYZSTAN: *Public Discussion of Latest Repressive Draft Religion Law*, FORUM 18 (Sep. 5, 2024), https://www.forum18.org/archive.php?article_id=2931.

³⁰ *Id.*

³¹ *Id.*

³² ICCPR art. 18, *supra* note 20.

³³ *Id.* (emphasis added).

18. On Jul 4, 2023, a court in the northern Chuy Region convicted a Christian for “inciting religious enmity.”³⁴ He was convicted over posts he made on social media calling into question the government’s policy on religion.³⁵ During the investigation, authorities had searched his home and confiscated his Christian books.³⁶ A District Police Investigator also warned him “to be careful and not post religious materials or statements on social media.”³⁷

19. In 2023, two foreign Christians were fined for carrying out “illegal missionary activity” even though they were both associated with a legally registered church.³⁸

20. On March 26, 2023, the SCRA, the National Security Committee, and the Talas Police Department for the Struggle against Extremism and Illegal Migration raided St. Nicholas Catholic Church during Sunday Mass.³⁹ Those attending the Mass were forced under armed guard to remain in the church, while two Slovak nuns were forced to sign statements that they were carrying out “illegal missionary activities” and that they were “spreading their ideology.”⁴⁰ The two nuns were then fined under Violations Code Article 142, Part 4.⁴¹ Three days after this raid, the SCRA informed the Catholic Apostolic Administration in Bishkek that the government would “take action against the Apostolic Administration in Kyrgyzstan for its liquidation” if more violations occurred.⁴²

21. In addition to oppressive laws, Christians in Kyrgyzstan also face persecution from the Muslim majority who seek to forcibly convert non-Muslims.⁴³ Local Christians are often afraid to report attacks to authorities because they are afraid of reprisals.⁴⁴ Further, local authorities are often complicit in these attacks and do not take legal action against the perpetrators.⁴⁵ A sixty-one-year-old Christian shared how he was threatened with violence in his community after his family and locals learned he converted to Christianity.⁴⁶ In order to protect himself and his family, they moved to another city.⁴⁷ Below we have highlighted some more examples of Christians being attacked and threatened because of their Christian faith.

22. In February 2023, a Muslim woman converted from Islam to Christianity.⁴⁸ Her husband, who is Muslim, became angry and beat her so severely that she was unable to leave

³⁴ *KYRGYZSTAN: Six-month Jail Term for Questioning Official Religious Policy*, FORUM 18 (Oct. 26, 2023), https://www.forum18.org/archive.php?article_id=2870.

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ Leigh Pritchett, *Two Protestants in Kyrgyzstan Fined: Others Try to Keep Low Profile*, THE ALABAMA BAPTIST (Sep. 23, 2023), <https://thealabamabaptist.org/two-protestants-in-kyrgyzstan-fined-others-try-to-keep-low-profile/>.

³⁹ *KYRGYZSTAN: Raids and Fines on Catholics, Protestants, Hare Krishna Devotees*, FORUM 18 (Aug. 2, 2023), https://www.forum18.org/archive.php?article_id=2849.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *KYRGYZSTAN: Violent Attacks Continue in 2022 and into 2023*, FORUM 18 (Jan. 23, 2023), https://www.forum18.org/archive.php?article_id=2804.

⁴⁴ *Id.*

⁴⁵ *Attacks in Kyrgyzstan Show No Sign of Stopping*, OPEN DOORS CANADA, <https://www.opendoorscanada.org/attacks-in-kyrgyzstan-show-no-sign-of-stopping/>.

⁴⁶ *Kyrgyzstan New Believers Targeted*, OPEN DOORS (Nov. 3, 2022), <https://opendoors.org.nz/frontline-faith/kyrgyzstan-new-believers-targeted/>.

⁴⁷ *Id.*

⁴⁸ OPEN DOORS, *KYRGYZSTAN: FULL COUNTRY DOSSIER 6* (Mar. 2024), *supra* note 3.

home for five days and then spent more than a week in a hospital.⁴⁹ The husband also beat his son because he had attended church with his mother.⁵⁰

23. In November 2022, a Muslim mob threatened a group of ethnic Kyrgyz Christians in the north-eastern Issyk-Kul Region to convert from Christianity to Islam.⁵¹ If they failed to convert, the mob would drive the Christians out of their homes.⁵² Local authorities came to calm down the mob and make peace, but no actions were taken against the mob.⁵³

24. In July 2021, a Muslim cleric tried to get his daughter to divorce her husband because both of them were Christian.⁵⁴ The cleric forced his daughter to pray Muslim prayers and read the Quran and tried to abduct her before eventually being stopped by her husband.⁵⁵

Recommendations

25. Despite the constitutional protection of religious freedom, Kyrgyzstan's laws actively prohibit citizens from freely exercising their right to religious freedom and belief. Kyrgyzstan must reform its laws and ensure that they align with the ICCPR and the UDHR. Further, we also ask that Kyrgyzstan ease its requirements for religious organizations to register with the government, a recommendation which Kyrgyzstan has claimed to support. Kyrgyzstan must ensure that everyone can practice his or her faith without having to get written permission from the government with ridiculous restrictions and punishments attached. Additionally, no one should have to live in fear of being arrested or attacked simply because of their faith.

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ *KYRGYZSTAN: Violent Attacks Continue in 2022 and into 2023*, *supra* note 43.

⁵² *Id.*

⁵³ *Id.*

⁵⁴ OPEN DOORS, KYRGYZSTAN: FULL COUNTRY DOSSIER 6 (2022), <https://www.opendoors.org/en-US/research-reports/country-dossiers/Kyrgyzstan-Full-Country-Dossier-February-2022.pdf>.

⁵⁵ *Id.*