

## STATEMENT FROM BARNABAS FUND

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### RELIGIOUS FREEDOM IN CENTRAL ASIA

Barnabas Fund remains concerned about restrictions on religious freedom in parts of Central Asia.

Under international norms of human rights, the state does not have the right to require registration in order to practise or share one's religion, although registration of groups is voluntary in many countries in order to obtain tax exemption or other state benefits.

**Kazakhstan** ratified the International Covenant on Civil and Political Rights (ICCPR) without reservation on 24 January 2006. Kazakhstan is a member of the OSCE.

While human rights and freedom of religion are theoretically protected by the Constitution these protections are widely ignored in fact. The judiciary is not independent, but is controlled by the government, which, whilst maintaining a facade of democracy has become increasingly autocratic.

In 2005 new laws banned all activities by unregistered religious groups and allowed the government to ban any groups it deemed 'extremist'.

In April 2008 Kazakhstan's Lower Chamber of Parliament initiated further restrictive legislation which eventually came into force in 2011. Among other things the law laid down strict rules for how many members a religious organisation must have to gain registration; at least 50 members locally, 500 regionally and 5,000 nationally, so small churches are unable to obtain state approval.

**Kyrgyzstan** ratified the ICCPR without reservation on 7 October 1994.

Kyrgyzstan is member of the OSCE. Yet Kyrgyzstan likewise enforces registration of religious groups if they want to legally practise their religion.

A State Commission on Religious Affairs (SCRA) was established in 1996. According to a Presidential Decree issued in 1997, all religious organisations must be registered by the SCRA.

In 2009, the new law on religion introduced tighter controls on the registration of religious groups, demanding 200 signatures from members in order for a church or other group to be granted registration.

The law also prohibits proselytising or other illegal missionary work, but does not define what is meant by "illegal missionary work". Sharing your faith with others is a fundamental human right.

**Turkmenistan** is a signatory of the ICCPR, ratifying it into law without reservation on 1 May 1997. It is also a member of the OSCE.

Yet all areas of religious life are regulated by the government's Gengeshi (Council) for Religious Affairs, and its overt aim is to restrict all religious activity apart from the state-sanctioned form of Islam and some activities by Russian Orthodox Christians.

While the Turkmen constitution guarantees the separation of religious and state institutions, the revised Religion Law of April 2016 continued the requirement for official church registration, but made it more difficult, with 50 founding members needed to register a church whereas previously only five were required.

This expanded the November 2004 law, Article 11 of which states that the activity of unregistered religious organizations is banned.

Barnabas Fund therefore requests that Kazakhstan, Kyrgyzstan and Turkmenistan review their performance in the area of religious freedom to respect their constitutional provisions, and their obligations under the ICCPR.