

PC.DEL/25/09
22 January 2009

ENGLISH
Original: RUSSIAN

**STATEMENT BY MR. MURATBEK BAIHODJOEV, CHARGÉ
D'AFFAIRES AD INTERIM OF THE KYRGYZ REPUBLIC TO THE
OSCE, AT THE MEETING OF THE OSCE PERMANENT COUNCIL**

22 January 2009

**On the Law on Freedom of Religious Belief and Religious Organizations in
the Kyrgyz Republic**

Madam Chairperson,

Allow me to thank my colleagues for the comments and wishes they have expressed. They will be passed on to my capital.

As of today, more than two thousand associations, religious organizations, centres, foundations and religious training institutions that have been registered with the State Agency for Religious Affairs of the Government of the Kyrgyz Republic are operating on the territory of the Republic. Of these, 1,802 are associated with the Islamic faith, including 1,686 mosques, the Christian churches account for 363, including Christian religious training institutions, Judaism for 1, Buddhism for 1, and new religious currents and beliefs for 14.

The law in force at the present time was passed 17 years ago. Since that time, the situation in Kyrgyzstan has changed, leading to the need to adopt a new law. The Law on Freedom of Religious Belief and Religious Organizations in the Kyrgyz Republic was adopted by the national Parliament on 6 November 2008. This had been preceded by work involving a broad-based discussion of the law in its draft form with all concerned parties — representatives of religious organizations of all confessions, the Government, civil society, international experts and independent specialists. Round-table discussions, Internet conferences and meetings with believers were also held.

A few days ago, President Kurmanbek Bakiyev, President of the Kyrgyz Republic, signed the law in question. The law consists of 30 articles and incorporates more appropriate terminology and provisions.

The basic idea behind this law is to avoid any infringement of the rights of religious organizations and the freedoms of religious belief, but rather to strengthen and protect the national security of the country. Given the difficult religious situation, the politicization of religion and the unlawful activities of illegal religious organizations, the new legislation can only enhance the national security of the country and the civil society in Kyrgyzstan.

Under the new law, the establishment of a religious organization in Kyrgyzstan is possible as a result of an initiative taken by no less than 200 citizens of the Kyrgyz Republic permanently residing on its territory. Associations of believers can be formed provided that there are no less than ten regional branches. It should be noted that religious organizations registered prior to the entry into force of the law and having a smaller membership can operate in the prescribed manner. The requirement calling for a membership of 200 persons is applicable only to newly formed religious organizations.

The law prohibits the enrolment of children in religious organizations. It sets out the procedures for the registration of religious organizations, missions of foreign organizations, missionaries and religious training institutions and also the conditions governing the dissolution of religious organizations and the prohibition of their activities.

The law further prohibits the distribution of literature and of print and audio-visual materials of a religious nature, but only in the case of strictly defined places, particularly public places (streets and boulevards), children's centres and schools and institutions of higher learning.

There is provision for the distribution of information of this kind at places belonging to and owned by religious organizations and also at places assigned for these purposes by local government.

In this connection, the provisions of the new law are mutually complementary and cannot be viewed as a limitation of the rights of religious organizations and believers in a country where multi-confessionalism is guaranteed under the Constitution.

The new version of the law has been supported by the leading religious faiths represented in the country — the Spiritual Authority for the Muslims of Kyrgyzstan and the Russian Orthodox Church, who in their petitions to the Head of State spoke out in favour of its adoption.

Considering the appeals received from believers and the possibility of revising certain provisions of the adopted law regarded as controversial by citizens who have made their views known, the Head of State has instructed the Government and the country's competent bodies to set up a commission including representatives of various faiths. This commission will review questions raised by the authors of the petitions and will, where necessary, rule on them in the manner provided for.

Thank you for your attention.