



This article was published by F18News on: 18 July 2006

CENTRAL ASIA: Religious intolerance in Central Asia

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In June 2006, the Organisation for Security and Co-operation in Europe (OSCE) held a "Tolerance Implementation Meeting on Promoting Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding," in Kazakhstan. In a paper for the 11 June NGO Preparatory Conference, Igor Rotar of Forum 18 News Service <<http://www.forum18.org>> looked at the reality of religious intolerance in Central Asia. This vital issue must be considered by examining the concrete reality of state policy that restricts the rights of believers of one or another confession, and religious intolerance in everyday life. It is sadly impossible to avoid the conclusion that many states in Central Asia deliberately pursue a policy which violates international religious freedom standards - despite the many fine-sounding statements made by these same states at OSCE and other conferences.

- A paper for the 11 June NGO Preparatory Conference before the OSCE "Tolerance Implementation Meeting on Promoting Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding," held in Almaty, Kazakhstan in June 2006

The issue of religious intolerance in Central Asia needs to be considered on two levels:

1. State policy that restricts the rights of believers of one or another confession;
2. Religious intolerance in everyday life.

We will consider each of these aspects in detail.

1. State policy that limits the rights of believers of one or another confession

Here again, the issue needs to be considered on two planes:

- a.) Legal acts, intended to limit believers' rights, that contradict the international agreements to which the Central Asian countries are signatories;
- b.) State suppression of believers without the support of legislation.

The most repressive legislative basis has been established in Uzbekistan. Its law on religious organisations bans the activity of any religious organisation that is not registered with the justice agencies. Religious activity conducted without registration is punishable under articles of the Criminal and Administrative Codes of offences. The maximum sentence for religious activity without registration is three years' imprisonment. However, up till today (11 June 2006), the authorities have not yet applied such harsh jail terms to representatives of religious minorities. Believers are normally given fines, or a few days' imprisonment.

However, the Uzbek authorities frequently apply very harsh measures to members of unregistered Muslim communities. But in this instance, believers are formally tried not for the activity of a religious community, but on charges of establishing, leading or participating in religious extremist, separatist, fundamentalist or other banned organisations (Article 244-2) and also for undermining the constitutional basis of the Republic of Uzbekistan (Article 159).

It is worth noting that, in practice, it is now virtually impossible for a religious community to be registered in Uzbekistan. State officials refuse believers registration on various pretexts. For example, the Jehovah's Witness community in Tashkent has been refused registration eight times.

The tightened Law on Religion places another substantial limitation on believers' rights in Uzbekistan, as does the ban on proselytism and missionary activity imposed by articles of both the Administrative and the Criminal Codes of offences. Jehovah's Witnesses are the most frequent victims of this ban as well; their creed obliges them to engage in public preaching. As a rule, those found guilty of proselytism face fines, though there are cases where believers have been given a suspended jail sentence if they have already been punished under the Administrative Code.

Around a year ago, Kazakhstan's president Nursultan Nazarbayev - who is hosting this conference - introduced legal amendments, on "national security" grounds, that substantially restricted the rights of believers (see F18News <http://www.forum18.org/Archive.php?article_id=701>). To take a few examples, an article introducing a compulsory requirement for religious communities to register was inserted into the Religion Law. An amendment was made to the Administrative Code making provision for fines for any activity by an unregistered religious community.

For most of the period since, most religious minorities have not noticed any substantial worsening in their situation since these amendments were made. Representatives of a Protestant community and of the Jehovah's Witnesses told Forum 18 News Service about a month ago (May 2006) that their situation had not deteriorated since these amendments were adopted. One Protestant suggested to Forum 18 that these legal changes were directly related to official preparations to control the 2005 presidential election.

However, there has recently been a certain harshening in Kazakhstan's policy towards believers. For example, members of the Council of Churches Baptists - who refuse on principle to register with state authorities - have seen fines against them rise sharply. While one year ago fines handed down by the courts on the Baptists rarely exceeded 13,000 Tenge (700 Norwegian Kroner, 88 Euros, or 110 US Dollars), recently fines have started to exceed 100,000 Tenge (5,375 Norwegian Kroner, 677 Euros, or 850 US Dollars).

In just one example, Pastor Yaroslav Senyushkevich, who leads a Baptist congregation in the capital Astana, was tried by the capital's interdistrict administrative court, where Judge Lezat Alimzhanova found him guilty of violating Article 374 part 1 of the Code of Administrative Offences, punishing him with a fine of 103,000 Tenge (5,261 Norwegian Kroner, 673 Euros, or 852 US Dollars). Average monthly salaries were estimated in 2005 to be roughly equivalent to 260 US Dollars (31,535 Tenge) (see F18 News 9 June 2006 <http://www.forum18.org/Archive.php?article_id=797>).

On the whole, the legal framework of the other Central Asian states does not contain legislation that severely restricts believers' rights. The only other such law is an article in Turkmenistan's Administrative Code of offences, which punishes the activity of an unregistered religious community with a fine.

Also of note is the fact that in January this year Tajikistan's state Religious Affairs Committee drafted a new Law on Religion which - if adopted - would place even harsher restrictions on believers' rights than the law in Uzbekistan. Under the new draft Law, unregistered religious communities would be banned, as well as missionary activity and evangelism or proselytism. The new draft Law also introduced a quota for the number of religious establishments permitted in individual populated areas. However, under pressure from the international community, the Tajik government decided to delay consideration of the new law "at least until the presidential elections" (which are due in November 2006).

However, a major - possibly the main - problem is that governments often subject believers to persecution without any legal basis at all. This means that focusing solely on laws, registration procedures, etc., without looking at concrete actions, gives a seriously misleading picture of the reality of Central Asia. The most concentrated offensive on this kind of extra-legal basis is felt by believers in Turkmenistan (see eg. F18News 24 May 2006 <http://www.forum18.org/Archive.php?article_id=787>). However, occasionally local Tajik authorities also put pressure on unregistered religious communities.

A related problem is that of states which do not respect the international human rights obligations they have freely agreed to. This attitude was concisely summarised by a Kazakh Justice Ministry official just before this conference, who told Forum 18 - when we enquired why unregistered Baptists were attacked by the state and in the media for refusing to register - that "international agreements are nothing to us" (see F18News 2 June 2006 <http://www.forum18.org/Archive.php?article_id=793>).

2. Religious intolerance in everyday life

The main problem of intolerance in everyday life is intolerance by members of the majority religious community in Central Asia. At least two factors underlie the intolerant attitude of Muslims towards former Muslims or people of nominal Muslim background who have converted to Christianity - and indeed to other minority faiths, such as Hare Krishna devotees or Jehovah's Witnesses. Under Islamic law, Muslims who reject their faith have to be punished. Tajiks and Uzbeks are particularly devout Muslims, and representatives of these two nationalities see those who have converted to Christianity as apostates. However, among the Kazakhs and Kyrgyz, who used to be nomads not so long ago, Islam is practised on an everyday superficial level and is closely linked with pagan beliefs. Interestingly, only a negligible minority of people from these nationalities perform namaz or observe fasts, and almost all the men drink alcohol - which is forbidden under Islam.

It is also possible that Kazakhs and Kyrgyz people see those who have converted to Christianity as having lost their national identity. "Most of my fellow ethnic kin drink alcohol and don't observe Muslims rituals, but nominally they consider themselves Muslims. They see those who have converted to Christianity as traitors who have rejected national customs." This is a sentiment expressed several times by Kyrgyz and Kazakh converts to Christianity when speaking to Forum 18.

At the end of December last year a Protestant believer, Saktinbai Usmanov, was murdered in the village of Zhety-Oguz, in Kyrgyzstan's Zhety-Oguz region on the southern bank of Lake Isyk-kul [Lake Ysyk-Köl]. As soon as news of his death became

known, a crowd of villagers blocked the road so that he could not be buried in the local cemetery. It was only at the beginning of January that the district authorities allocated a patch of land for Usmanov's burial, outside the area occupied by the Zhety-Oguz cemetery.

"The fact that my father, a Muslim by upbringing, adopted Christianity angered very many Muslims. Some four years ago, some masked intruders burst into his home, held a knife to his throat and threatened to kill him if he did not return to the 'faith of his ancestors'," his son Ruslan Usmanov told Forum 18. Erkin Bekcheraeva and Gulbush Isaeva, neighbours of the murdered Christian, confirmed to Forum 18 that villagers did not want anything to do with Usmanov because they felt he was "a traitor" (see F18 News 17 February 2006 <http://www.forum18.org/Archive.php?article_id=729>). His murderers have never been found.

In January 2004 Protestant pastor Sergei Bessarab, a missionary, was murdered in the town of Isfara in northern Tajikistan. The authorities said that it was the work of an Islamic radical organisation Bayat. In May last year the regional court sentenced the pastor's 12 murderers to 25 years in prison.

In 2001 a group of ethnic Uzbeks from southern Kyrgyzstan set up a kangaroo court which tried to convict fellow Uzbeks who had converted to Christianity.

Uzbekistan and Kazakhstan have also seen cases where Muslim converts to Christianity have been the victims of kangaroo courts, with official connivance (see F18 News 11 May 2005 <http://www.forum18.org/Archive.php?article_id=557>). "When we adopted a law banning missionary activity, western countries accused us, saying this restriction was an infringement of human rights. But the problem is that in our particular circumstances, unfettered Christian propaganda among Muslims can result in bloody conflicts," Shoazim Minovarov, head of the Uzbek government's Religious Affairs Committee, told Forum 18 in 2005. In Kazakhstan, the state mass media has encouraged intolerance towards both Protestants and Hare Krishna devotees, leading to overt aggression (see F18News 2 June 2006 <http://www.forum18.org/Archive.php?article_id=793>).

Officials in Turkmenistan are openly intolerant towards converts to Christianity, especially ethnic Turkmens. (See the personal commentary by a Protestant in Turkmenistan - anonymous to avoid state persecution - at <http://www.forum18.org/Archive.php?article_id=728>).

To conclude, many states in the eastern part of the OSCE region - especially in Central Asia - in reality are not working to create the conditions for religious tolerance. Privately, senior officials of various Central Asian states constantly stress to Forum 18 that "we are not Europe, and blindly following Western models of religious freedom could lead to destabilisation of the country". However, the governments of these states - which deliberately violate international religious freedom standards - nevertheless voluntarily signed up to international agreements that commit them to religious freedom.

This regrettable conclusion - that many states in Central Asia deliberately pursue a policy which violates international religious freedom standards - is impossible to avoid, if one looks at either state policy that restricts the rights of believers of one or another confession, or at religious intolerance in everyday life. And this sad conclusion is inescapable if one looks at the reality of concrete state actions, despite the many fine-sounding statements made by these same states at OSCE and other conferences. (END)

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at <http://www.forum18.org/Archive.php?article_id=806>.

Surveys of countries' religious freedom situation are available on the Forum 18 website at <<http://www.forum18.org/Analyses>>, along with reporting of events at <<http://www.forum18.org>> and personal commentaries on religious freedom issues at <<http://www.forum18.org/Commentaries>>.

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