1-2015

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KYRGYZSTAN: "DRACONIAN" PROPOSED RELIGION LAW AND ADMINISTRATIVE CODE
By Mushfig Bayram, Forum 18 News Service

Changes

Kyrgyzstan is proposing to harshen its Religion Law and give even more power to the State Commission for Religious Affairs (SCRA). The proposals that have attracted most criticism so far from human rights defenders and religious and belief communities include: increasing the number of founders required for registered religious organizations to be founded from 200 to 500 and all such organizations to be re-registered; requiring anyone working in any capacity in any religious organization to have an annually renewed SCRA license; and requiring every institution offering religious education to have an SCRA license. It is also proposed that existing punishments in the Administrative Code for exercising freedom of religion or belief be increased to up to the rough equivalent of 14 months average salary. The proposals go directly against the UN Human Rights Committee's March recommendation that planned changes to the Religion Law should, "remove all restrictions incompatible with article 18 of the Covenant [of Civil and Political Rights]."

Kyrgyzstan is proposing to harshen its Religion Law's attempt to make all exercise of freedom of religion or belief dependent on state permission, Forum 18 News Service notes. All exercise of freedom of religion or belief by groups of people is already - against international human rights obligations - illegal under the Religion Law. Under the proposed changes, even more power would be given to the State Commission for Religious Affairs (SCRA).

It is also proposed that existing punishments in the Code of Administrative Offences for exercising freedom of religion or belief be increased from a maximum of 50 Monthly Financial Indicators (MFIs) to 700 MFIs. Seven hundred MFIs are equivalent to 70,000 Soms (990 Euros, or 1,250 US Dollars), which is roughly equivalent to 14 months average salary across the country.

The other proposals that have so far caused most concern to religious communities and human rights defenders are:

- A proposal that the SCRA should formulate and execute state policy on anything affecting freedom of religion or belief;
- Plans to increase the number of founders required for registered religious organizations to be allowed to exist from 200 to 500, and for all such organizations to be re-registered;
- A proposal that all people working in any capacity in any religious organization be licensed every year by the SCRA;
- A proposal that every institution offering religious education must be licensed by the SCRA.

Roundtable for Some

The draft changes for both the Religion Law and Administrative Code, seen by Forum 18, were announced at no notice in a roundtable arranged by the SCRA with the United Nations Development Program (UNDP) in the capital Bishkek on October 9, 2014. Representatives of the SCRA-led Working Group which drew up the changes, the UNDP, local human rights defenders, and clergy from Russian Orthodox Church and several Protestant churches participated in the meeting. One participant told Forum 18 that the SCRA was reluctant to include religious organizations in the roundtable until approached by the UNDP.

The SCRA on 10 October claimed on its website that the opinions of roundtable participants will be taken into account. One participant, Aleksandr Shumilin of the Association of Evangelical Churches, told Forum 18 on October 17 that Buddhist and Jewish representatives were also invited but did not attend. He stated that Protestants at the meeting "were not given a chance" to give an in-depth critique of the draft amendments. The SCRA "asked us to give them our opinion in writing, but I think that they will just ignore it."

Drafts to Become Law in First Quarter of 2015?

Parliamentary Deputy Damira Niyazaliyeva, Chair of the Zhogorku Kenesh's Social Policy Committee, who took part in the October 9 meeting, admitted to Forum 18
on October 22 that the proposed changes are "harsh," and "I do not think the SCRA will be given those competences because it would mean severe control by it." However, she said that the "chances are that the proposed changes, after they are further amended in the Zhogorku Kenesh, will pass in 2015." However, she said that the deadline for the re-registration once the Law enters into force indicated as 31 December 2015 may be moved to a later date.

Galina Kolodzinskaya of Kyrgyzstan's Interfaith Council, who participated in the roundtable, told Forum 18 on October 17 that she thinks the authorities intend the legal changes to be passed and signed into law in the first quarter of 2015. However, she said that she is "not sure precisely when or if, or in what form they will reach Parliament, considering the government's record of postponing the adoption of various proposed laws." As Kolodzinskaya noted, Kyrgyzstan has a record of proposed legal changes not being passed into law.

**Working Group**

The proposed changes originate from a Working Group formed after a February 3 Defense Council meeting convened by President Almazbek Atambayev. It consists of officials from the SCRA, the Deputy Prime Minister, the Presidential Administration's Ethnic, Religious Policy, and Cooperation with Civil Society Department, six deputy ministers and the Deputy Head of the National Security Committee (NSC) secret police. Asked why she thinks the authorities want to bring freedom of religion or belief under even stricter control, Deputy Niyazaliyeva claimed, "the authorities only want to bring more coordination and regulation to religious freedom." Asked to clarify this, she stated, "the state needs to know who these religious organizations are and what exactly they are doing, because we do not know how they are directing our children and youth." Asked whether it is not the responsibility of parents to take care of their children, and why the state wants to interfere in the personal decisions of its citizens, she declined to answer. However, Deputy Niyazaliyeva stated, "I do not think the SCRA will be given those competences because it would mean severe control by it."

On October 23, the official (who did not give her name) who answered the phone of SCRA Head Orozbek Moldaliyev told Forum 18 that he is busy and cannot talk. She
took down Forum 18's questions as to when the SCRA aims to present the proposed changes to Parliament--whether it will ask the Organization for Security and Co-operation in Europe (OSCE) and the Council of Europe's Venice Commission (which Kyrgyzstan is a member of) for their expert legal opinion on the changes. She asked Forum 18 to call back in 10 minutes, promising she would put Forum 18 through to an appropriate official. However, numerous calls in the next few hours went unanswered.

Reached on October 23, Denis Pyshkin of the SCRA, who worked on the proposed changes and is part of the Working Group, also declined to discuss the changes. "I am not competent to answer but maybe you could talk to Gulnaz Isayeva, who is now next to me and is also an expert here." Forum 18 overheard Pyshkin and Isayeva talking to each other, but when Forum 18 immediately called Isayeva's number - as provided by Pyshkin - her phone was switched off. Pyshkin did not answer any subsequent calls that day.

**Positive Supreme Court Ruling**

The Constitutional Chamber of the Supreme Court on September 4 ruled that a religious organization is not limited to carrying out its activity only in the place where it has its legal address. Jehovah's Witnesses who brought the case think this will do much to stop the harassment that Jehovah's Witnesses have faced from law enforcement officials in the southern part of the country. In the decision, seen by Forum 18, the Court stated that "a registered religious organization can perform its religious activity outside the address where the religious organization is located," and that, "a religious organization has the right to perform its rites and activities in the places in the territory shown in the Charter." The Constitutional Chamber also found it unconstitutional for local keneshes (councils) to approve the list of 200 founding members of a religious organization required for a legal status application. If implemented, this will remove a major obstacle to legal status applications.

For both decisions, the Court obliged the Zhogorku Kenesh to make the necessary changes to the Religion Law. It also stated that, "This Decision is final and cannot be appealed against. All governmental organs, legal entities, officials and citizens are bound by it."
**Working Group Response Violates Fundamental Rights**

The Working Group appears to have partially taken the Court's decision into account by removing the need for *keneshes* to endorse lists of founders in the proposed Religion Law changes. However, Jehovah's Witnesses told Forum 18 on October 23 that the demand for 500 members as founders violates their fundamental right to freedom of religion or belief.

The draft also states that local *keneshes* should set up their own committees working under the SCRA to control the exercise of freedom of religion or belief. This might be a way of getting round the Supreme Court's intentions in barring local *keneshes* from approving lists of founders.

**Severe UN Criticism of Existing Religion Law, Recommendations for Change**

The United Nations (UN) Human Rights Committee commented on the Religion Law and possible plans to amend it in March 25 Concluding Observations (CCPR/C/KGZ/CO/2) to its consideration of Kyrgyzstan's record under the ICCPR. It noted that "the Committee is concerned about the restrictions incompatible with provisions of the Covenant [ICCPR] contained in the current law, including with respect to missionary activities, registration procedure and dissemination of religious literature."

The government has long claimed, including to the UN, an intention to change the Religion Law. Many in Kyrgyzstan feared this would be used to harshen restrictions on freedom of religion or belief via changes focusing on state registration of religious communities. The UN Human Rights Committee stressed on March 25 that planned amendments to the Religion Law should, "Remove all restrictions incompatible with Article 18 of the Covenant, by providing for a transparent, open and fair registration process of religious organizations and eliminating distinctions among religions that may lead to discrimination."

**Severe Criticism of Draft Texts**

Many aspects of the draft texts violate Kyrgyzstan's international human rights obligations and cause concern to human rights defenders and religious and belief
communities in Kyrgyzstan. The aspects that have attracted most criticism so far are outlined below.

- SCRA to control policy on freedom of religion or belief. The draft Religion Law states that the SCRA should be the only state body which "forms and conducts state policy on religious freedom, coordinates the activity of Kyrgyzstan's state bodies in the religious sphere in order to ensure the protection of public order, spiritual security, territorial integrity and constitutional order from religious extremism." This formulation violates Kyrgyzstan's international obligation that freedom of religion or belief may not be limited on security grounds.

An Ahmadi Muslim, who asked not to be identified for fear of state reprisals, told Forum 18 on October 23 that their community thinks that, if the SCRA "obtains such powers we will not have any chances to restart our activity as a community in future." The Supreme Court on July 10 ignored violations of due legal process and human rights obligations by rejecting an appeal against two lower courts' support of the SCRA's refusal to give state registration to the Ahmadi Muslim community. Asel Bayastanova, the Ahmadis' defense lawyer, told Forum 18, "It means that Ahmadi Muslims cannot act like Ahmadi Muslims and organize meetings for worship or any other activity together." The community has not been able to meet together since July 2011.

The SCRA's lawyer, Zhanibek Botoyev, claimed to Forum 18, "We are not going to send them to prisons." He also stated, "they can individually pray or read their books in their homes but they must not worship together. Otherwise they will be punished." He refused to say exactly what punishments will be Kolodzinskaya of the Interfaith Council noted to Forum 18, "If the SCRA is granted these powers, this will seriously violate the Constitution as well as interfere with Kyrgyzstan's system of government." She pointed out that the SCRA is only an administrative organ, but it is asking for powers to both bring it onto the same level as government ministries as well as to directly interfere in the internal life of religious and belief communities.

- Number of required founders rose from 200 to 500. The proposed draft Religion Law raises the required number of founders of registered religious organizations (the only legally allowed kind of religious body) from 200 to 500. Other parts of Article 8 also introduce various restrictive and unclear conditions banning people from belonging to a
religious organization, including a ban on people whose actions have been found by a court "to contain signs of extremist activity."

The draft also demands that all existing registered organizations must register no later than December 31, 2015 under the new Religion Law. All religious organizations that do not re-register will be subject to liquidation by a court. This proposal means that, "almost all the existing registered organizations will have to cease officially existing, as the proposed changes also demand that all organizations must be re-registered after the changes enter into force," Shumilin of the Association of Evangelical Churches told Forum 18. He added that it would also mean that it would be, "impossible to create new religious organizations." Kolodzinskaya of the Interfaith Council pointed out that some settlements where there are religious communities of various faiths do not have 500 residents. "Whole settlements will be deprived of their Constitutional rights thanks to this SCRA proposal," she observed. Tamilla Zeynalova of Bishkek's Baha'i Community told Forum 18 on 23 October that "If the SCRA accepts our old registration we do not have a problem with this. But if we have to re-register we will have problems, as we have several registered communities but none with 500 members in total." Kolodzinskaya also expressed concern that "if the Law enters into force sometime in 2105 not all religious Communities will be able to receive re-registration before the deadline of 31 December 2015."

The 2009 Religion Law similarly demanded re-registration. In late 2013, the SCRA published on its website lists of both Muslim and non-Muslim registered organizations. The published lists reveal that only 11 Muslim communities and 2 non-Muslim communities (both Russian Orthodox parishes) have been able to gain registration since the entry into force of the 2009 Religion Law. At the time that Law came into force, the SCRA claimed that 2,200 religious organizations and associations were officially registered, including 77 Islamic organizations, 1,764 mosques, 62 madrassahs (Islamic religious schools), and 140 Christian communities, including Baptist, Catholic, Pentecostal and Russian Orthodox churches.

- "Spiritual ministers" to be licensed annually by SCRA. The draft Religion law also states that all undefined "spiritual minsters" working in any voluntary or paid capacity for a religious organization must be licensed every year by the SCRA. (A similar
provision is also proposed for foreign religious workers.) Among the connected restrictive provisions for "spiritual ministers," the draft states that they, "can be refused registration if their submitted documents and religious activity do not correspond to the stated requirements for persons carrying out religious activity." The draft does not clearly state either what documents are required or what the "stated requirements" are. One observer noted that the SCRA's desire for power over anyone active in any capacity in any religious organization - whether preaching, teaching, leading prayers, or involvement in charity work - with such licenses be renewed ever year is an "obvious interference of the state in the internal life of organizations, and total control of freedom of religion or belief." Other observers noted that this opens for SCRA officials the possibility of corruption. Kolodzinskaya of the Interfaith Council noted that the license proposal will, "Very severely limit foreigners' freedom of belief, as their saying a prayer or reading sacred texts in a community can be interpreted as religious activity, for which they must in advance receive permission from the SCRA." Zeynalova of the Baha'is pointed out that, "We do not know whether we will have to receive each year registration for foreign believers living here. They are not here for as missionaries, but they sometimes participate with us in the community's decisions." She said, "If they will need registration it will be burdensome and difficult for us."

On July 14 the SCRA refused registration as a missionary to Bishop Feodosy, the head of the Russian Orthodox Church in Kyrgyzstan. "This is a ban on the Bishop," Orthodox Church spokesperson Yuliya Farbshteyn told Forum 18. The SCRA claimed that the Bishop was denied registration as he "threatens the public security of Kyrgyzstan and sows religious discord among the population." Orthodox believers totally denied these claims to Forum 18. Russian Orthodox Sunday school catechist Vakhtang Fyodorov has similarly been banned.

- Education license requirement reinforced. Reinforcing the existing requirement for all religious education to have state permission, the draft Religion Law states that every institution offering religious education must be licensed by the SCRA. It grants the SCRA extremely wide and unclear grounds to refuse such licenses. It also bars anyone from receiving religious education abroad without the SCRA's permission. Vadim Grigoryan, Director of the Protestant Silk Road Bible College, on October 22 commented
on the wide grounds for refusing licenses. For example, he told Forum 18, "Anything that the SCRA or the authorities do not like in the program of a religious education institution can be described as a threat to security or accord between religions." Shumilin of the Association of Evangelical Churches wondered aloud to Forum 18 “How the SCRA, which does not have the specialists or means, can evaluate the theology of various beliefs. It is not possible." Like security, theological beliefs are not under Kyrgyzstan's binding international human rights obligations a permissible reason to restrict freedom of religion or belief.

- "Draconian" Administrative Code changes. Fines under the Administrative Code for exercising freedom of religion or belief are proposed to dramatically increase. For a number of Administrative Code articles these are being raised from up to 10 MFIs for members of religious organizations and up to 50 MFIs for leaders, to up to 100 MFIs for members and up to 700 MFIs for the leaders. Seven hundred MFIs are equivalent to 70,000 Soms (990 Euros, or 1,250 US Dollars), which is roughly equivalent to 14 months average salary across the country. Kolodzinskaya of the Interfaith Council described these proposed punishments as "draconian". She noted that "any exercise of freedom of religion or belief without SCRA permission, even teaching art to children, discussions of secular fiction books or any other youth activity having no religious elements in it, if done by members of a religious community can be punished." This is because the proposals "allow such activity to be characterized as involving children in religious activity or being engaged in religious activity without registration."

KYRGYZSTAN: CONTRADICTORY COURT DECISIONS, ARBITRARY OFFICIAL ACTIONS

Some officials in Kyrgyzstan appear unwilling to act on their domestic and international legal obligations, Forum 18 News Service notes. Commenting on a UN Human Rights Council recommendation to "remove all restrictions incompatible with article 18 of the Covenant [of Civil and Political Rights]," State Commission for Religious Affairs (SCRA) lawyer Zhanibek Botoyev told Forum 18 News Service, "Go and bring some order to your own countries and Norway. We are a sovereign country
here, and you cannot command us what to do or what not to do." In relation to a Constitutional Chamber of the Supreme Court ruling on where a religious organization may operate, in a case brought by Jehovah's Witnesses, Botoyev claimed that the ruling did not mean what it clearly states it does. The SCRA has also forced a Russian Orthodox Church catechist, Vakhtang Fyodorov, to leave the country and with the State Property Fund continues to try to confiscate a Protestant church's building.

Some officials in Kyrgyzstan appear unwilling to act on their domestic and international legal obligations, Forum 18 News Service notes. Reluctance by officials to implement their obligation to respect and implement freedom of religion or belief can be seen in a number of ongoing issues in the country.

These issues include but are not limited to: a UN Human Rights Council recommendation to "remove all restrictions incompatible with Article 18 of the Covenant [of Civil and Political Rights];" a ban in Kyrgyzstan on Ahmadi Muslims exercising freedom of religion or belief together; a Constitutional Chamber of the Supreme Court ruling that a religious organization is not limited to carrying out its activity only in the place where it has its legal address; the expulsion of a Russian Orthodox Church Bishop and a catechist; and continuing state attempts to deprive a Protestant church of its building.

Ahmadis Sill Banned

On July 10 the Supreme Court ignored violations of due legal process and human rights obligations by rejecting an appeal against two lower courts' support of the SCRA's refusal to give state registration to the Ahmadi Muslim community. Asel Bayastanova, the Ahmadis' defense lawyer, told Forum 18, "It means that Ahmadi Muslims cannot act like Ahmadi Muslims and organize meetings for worship or any other activity together." The community has not been able to meet together since July 2011.

The Ahmadis remain banned, and on September 22 received a copy of the Supreme Court decision. It was made by Judge Aynash Tokbayeva, who chaired the hearing, sitting with Judges Kamil Osmonaliyev and Bolotbek Akmatov. The Ahmadi Muslim community told Forum 18 on October 29 that it is now considering what its next steps will be.
A non-Ahmadi Muslim religious leader in Kyrgyzstan, who asked not to be named for fear of state reprisals, told Forum 18 on October 29 that the ban on the Ahmadis is "a political decision." The leader suggested that the government imposed the ban "to do a service for the [state-backed] Muslim Board and foreign Muslim investors, who dislike Ahmadis." Asked why this decision was taken, despite the UN Human Rights Committee's March recommendation on the Religion Law that "all restrictions incompatible with Article 18 of the Covenant [of Civil and Political Rights]" should be removed, hearing chair Judge Tokbayeva on October 30 claimed to Forum 18: "I am sorry, I cannot answer, I am busy hearing a case." She then put the phone down. Subsequent calls to her went unanswered.

Supreme Court Deputy Chairperson Baktygul Amanaliyeva, asked the same question, replied on October 30: "Don't you know what the Ahmadis were charged with?" Informed that Forum 18 had seen the decision and had not seen any evidence to back the SCRA's claims of "extremism," she claimed, "I cannot do anything about the decision, and it is final." Asked if the UN Human Rights Council's recommendations mean anything for Kyrgyzstan, she repeated that "I cannot do anything." SCRA lawyer Zhanibek Botoyev, asked if the UN Human Rights Council's recommendations mean anything for Kyrgyzstan - for example in relation to Ahmadi Muslims - replied on October 30: "Go and bring some order to your own countries and Norway. We are a sovereign country here, and you cannot command us what to do or what not to do". When Forum 18 pointed out that it was only asking a concrete question about UN Human Rights Committee recommendations, Botoyev the phone down.

Positive Constitutional Chamber Rulings on Legal Status

However, the Constitutional Chamber of the Supreme Court on September 4 ruled that a religious organization is not limited to carrying out its activity only in the place where it has its legal address. It also found it unconstitutional for local keneshes (councils) to approve the list of 200 founding members of a religious organization required for a legal status application. If implemented, Jehovah's Witnesses who brought the case think this decision will remove a major obstacle to legal status applications.
The hearing was chaired by Judge Mukambet Kasymaliyev, sitting with Judges Chinara Aydarbekova, Meergul Bobukeyeva, Jumadil Makeshov, Erkinbek Mamyrov, Aysalkyn Narynbekova, Emil Oskonbayev, Cholpon Osmonova, and Klara Sooronkulova. The case brought by Jehovah's Witnesses was opposed in court by some deputies from the Zhogorku Kenesh (the Parliament), as well as officials of the SCRA and the National Security Service (NSS) secret police.

Jehovah's Witnesses told Forum 18 on October 28 that they hope that the Constitutional Chamber decision will help to stop the harassment and interference their co-believers have faced from law enforcement officials in the southern regions of Osh, Naryn, Jalal-Abad and Batken. They added that the ruling means, "We can carry on our religious activity without additional registration in those regions since the charter of our central Community in Bishkek indicates all of Kyrgyzstan as our territory of activity." They indicated also that they would also like to get registration in those regions. Jehovah's Witnesses and other religious communities have faced severe harassment and raids from the authorities in trying to exercise their right to freedom of religion or belief.4 SCRA claims rulings do not mean what they say they mean SCRA lawyer Botoyev, asked by Forum 18 whether the SCRA would refuse Jehovah's Witnesses registration in these southern regions after the Constitutional Chamber ruling, claimed on October 30, "Jehovah's Witnesses are not correctly interpreting the Constitutional Chamber's ruling. It does not mean that they do not need new registration in other localities."

Why the opposing decisions? The contradiction between the Supreme Court supporting an SCRA ban on Ahmadi Muslims and its Constitutional Chamber loosening restrictions on freedom of religion or belief was explained by Supreme Court Deputy Chairperson Amanaliyeva by her stating that the Constitutional Chamber is within the Supreme Court, but is independent of the Supreme Court. The Constitutional Chamber of the Supreme Court is the country's highest judicial authority for constitutional issues. The Supreme Court is the highest court of appeal.

What do other communities think of Constitutional Chamber decisions? Followers of other beliefs Forum 18 spoke to broadly welcome the Constitutional Chambers rulings. However, they thought that their impact would be limited by:

4 See e.g. F18News 8 April 2013<http://www.forum18.org/archive.php?article_id=1821>.
The continuing Religion Law ban, against international human rights obligations, on all exercise of freedom of religion or belief in community with others without state permission;

- The current highly excessive legal requirement for 200 founders to gain legal status, along with the SCRA's proposal to increase this to 500 founders;

- Extra-legal obstruction of the exercise of freedom of religion or belief by the authorities.

Reactions to the Constitutional Chamber decisions included those of an Ahmadi Muslim, who told Forum 18 on October 30, "It does not mean anything for us, as we are banned." A Protestant leader, who wished to remain anonymous for fear of state reprisals, commented to Forum 18 on October 30, "Laws mostly do not work in our country. Who knows how this will be interpreted by the authorities, and whether it will be applied favorably?" Tamilla Zeynalova, Chairperson of the Bahai Community in the capital Bishkek, told Forum 18 on October 23 that "It does not matter if 200 or 500 signatures are demanded to receive legal status. We will not be able to do this." One Hare Krishna devotee noted that their community is small and so cannot gain legal status. They thought being unable to get state registration was the reason it was not growing. Because the authorities know the community is not growing, they leave them alone. Father Igor Dronov of the Russian Orthodox Diocese in Bishkek told Forum 18 on October 23 that the Constitutional Chamber decisions will "not affect us much, as we usually do not have problems with registration." A Baptist, who wished to remain anonymous for fear of state reprisals, told Forum 18 on October 30 that "it's not the first time this has happened. The authorities make promises or decisions seeming positive, but they continue their harsh policies. I do not think this will change anything, and the authorities will continue harassing and punishing believers and religious freedom will be more and more limited."

**Arrested and charged for attempting to register?**

Jehovah's Witnesses think criminal charges lodged against a mother and daughter in Osh in March 2013, and their being given two months' house arrest, were aimed at punishing the community for lodging a fresh registration application. The two women were accused of allegedly conjuring live snakes from eggs and then swindling two old
women of their life savings, which charges they and their fellow believers strongly deny. On October 7 a court in Osh acquitted the two women and ordered their release from house arrest.

**Russian Orthodox Church Catechist Expelled**

Russian Orthodox Sunday school catechist Vakhtang Fyodorov has, like the leader of the Russian Orthodox Church in Kyrgyzstan Bishop Feodosy, been threatened with expulsion by the SCRA. On July 14 the SCRA refused registration as a missionary to Bishop Feodosy. "This is a ban on the Bishop," Orthodox Church spokesperson Yuliya Farbshteyn told Forum 18. The SCRA claimed that the Bishop was denied registration as he "threatens the public security of Kyrgyzstan and sows religious discord among the population." Orthodox believers totally denied these claims to Forum 18, The SCRA arranged for both men to be interviewed by the Anti-terrorism Department of the Interior Ministry.

On July 25, Feodosy was replaced by the Moscow Patriarchate as leader of the Church in Kyrgyzstan by Bishop Daniil (secular name Semyon Kuznetsov). On October 12, Orthodox catechist Fyodorov was forced to leave Kyrgyzstan as the authorities did not extend his residence permit, his wife Yekaterina Ozmitel (a Kyrgyz citizen) told Forum 18 on October 20. Ozmitel stated that the authorities did not like her husband "because he was close to Bishop Feodosy, and they wanted him also to stop his activity in the Church after the Bishop left." She explained that Fyodorov could travel and work in Kyrgyzstan in secular work without a visa, as he is a Russian citizen, but he would like to continue his work in the Church. He hopes that he can resolve the problem through Kyrgyzstan's Embassy in Moscow. Asked why Fyodorov was forced to leave Kyrgyzstan, SCRA lawyer Botoyev told Forum 18 on October 28 that Fyodorov "worked as a missionary for a very long time, but did not even make any attempts to renew his license with us." He did not explain on what legal basis the SCRA arranged for Fyodorov and Bishop Feodosy to be interviewed by the Anti-terrorism Department of the Interior Ministry. Botoyev claimed that Fyodorov might be able to work as a missionary in Kyrgyzstan, "if he promises us that he will respect the sovereign country of Kyrgyzstan and its laws, and if we see that he obeys our laws."
Protestant sources told Forum 18 that although no missionary licenses had granted by the SCRA, the people concerned had been able to be in Kyrgyzstan as guests. The SCRA on 30 October refused to tell Forum 18 how many Muslim and non-Muslim missionaries had received visas in the last three years.

Continued Threat To Church's Building

The State Property Fund has been since 2009 seeking to confiscate the building of the Protestant Church of Jesus Christ in Bishkek. The case originated in May 2009 when the General Prosecutor's Office sent a proposal to the Government's State Property Ministry. By law court actions on such claims must start within three years - by May 2012 - but hearings began in the Economic Court in November 2013, the fourth and final hearing being on January 24, 2014. That day the court - following a suit brought by the Fund with the SCRA as an interested party - annulled a 1999 sales contract between the Church and the Fund for the former Culture House of the old Bishkek Machine-Building Plant. It claimed the sale violated the law. A local construction company is interested in the property, which the Church thinks is the real reason for the case. The Church appealed against the decision and separately to have the whole case thrown out. Bishkek City Court granted the Church's request on April 18, 2014. However, the State Property Fund and the SCRA has continued seeking – this time through the Supreme Court - to confiscate the Church's building. On October 21 the Supreme Court referred the case brought by the SCRA and the State Property Fund back to Bishkek's Economic Court. On October 29 a church member, who wished to remain anonymous, stated to Forum 18 that the property company's interest may be backed by parliamentary deputies or a senior member of the government. "We have heard rumors but we do not exactly these may be." Church members told Forum 18 that it might be "a month to several months" before the case reaches the Economic Court again. Asked why despite a lower court decision against them the State Property Fund is still pursuing the case, Edil Turganbayev (who represented the Fund in the October 21 hearing) told Forum 18 on 28 October that "the purchase of the building by the Church was done in violation of various regulations." When asked why the officials concerned were not being pursued by the Property Fund, he claimed, "we only want to correct what was done wrongly in the past." He also
claimed, "if the court decides the purchase was illegal we may ask the Prosecutor's Office to punish the responsible officials." Turganbayev was unconcerned that the Church might be left with nowhere to meet for worship. "I don't think it's a problem, they will not be left on the street. They can meet in their homes. When Forum 18 pointed out that the Religion Law bans meetings for worship in private homes, he was silent. He then refused to discuss the case further. No other religious community appears to be currently facing a threat that the state will confiscate the building it uses to meet for worship or other activities.\(^5\)