

Central Asia

A Soviet Legacy of Religious Persecution



Vitaliy V. Proshak and Evgeny Grechko



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Mission Eurasia, Religious Freedom Initiative

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Foreword

This year the global Community marks 27 years since the disintegration of the USSR, which gave 15 Soviet socialist republics the freedom to determine their own political, economic, and religious identities. This includes the five former Soviet republics in the predominantly Muslim region known as Central Asia, which share geographical borders and the same Soviet political and economic system that propagated atheism for more than 70 years.

When the USSR collapsed, the religious groups most actively involved in outreach in Central Asia – evangelicals – were given the unprecedented opportunity to grow by reaching across ethnic boundaries with Christian values. However, this region's deep historical Muslim roots joined with the vestiges of Soviet authoritarianism to establish strict control over the religious sphere and prevent the establishment of new democracies. It is interesting to note that the leaders of most Central Asian countries today are the same leaders who were in power in these countries during the Soviet era.

Governments of the countries in Central Asia understand the threat that all religions, including radical Islam, pose to their power. For this reason, they have enacted legislation that strictly controls every aspect of religious life. Christianity, especially the Evangelical church, has suffered the most, both because of its rejection by the predominantly Muslim culture and its outward focus on society. During the last several years, Protestants have experienced significant repression because they apparently represent a threat either to Islam and Islamic cultures, or to the authoritarian states.

During the past five years, all five Central Asian countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) have been listed on the World Watch List of the Open Doors, identifying them as the world's most repressive countries in terms of religious freedom.

During this time, Christian leaders in Central Asia, especially Protestant pastors, have been intimidated, fined, and arrested. Protestant educational institutions and the publication of Christian literature are strictly controlled. New requirements for the registration of churches have been adopted, forcing many evangelical churches to close. The type and level of religious restrictions vary from country to country, but the overall trends in all of these countries are similar.

The issue of religious freedom is deeply integrated into Mission Eurasia's missiological strategies in working with the national church. Because of our extensive network and vast ministry experience in this area, we are presenting this analytic report on *Central Asia: A Legacy of Soviet Religious Persecution*. The purpose of this publication is to create more awareness and attract more expert political attention and resources from the global community in order to help those who have been deprived of the basic freedom to believe, and to offer possible solutions to this problem.

I am very proud of my colleagues, Evgeny Grechko and Vitaliy Proshak, and am so grateful to them for spending countless hours compiling and processing information from these Central Asian countries for this publication. We hope that, as a result, the global community will be encouraged to support those in Central Asia who strive for the freedom to believe.

Sergey Rakhuba
President Mission Eurasia

Introduction

The purpose of this undertaken research is to highlight the main problems and challenges to freedom of religion, expression, association and to the religious dimension of education in the five post-Soviet Central Asian states: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. Our objective is to identify main problems and risks to human rights to freedom of religion, to expression, association, and education by analyzing the socio-cultural situation, juridical legislation and contemporary practice within the context of the aforementioned states. Problems in the legislative regulation of the religious sphere which, according to the view of the authors, do not meet the minimum requirements to ensure the adequate realization and protection of social and cultural rights of citizens, are addressed. Each of the following sections gives a brief background on the situation in the social, political and religious spheres, provides an overview of the religious demographics and legislation(s) on religion and describes main cases of violation of human right to freedom to religion in a specific country context. General challenges to religious freedom in each country are described against the background of individual case studies and factual descriptions of the violation of citizen's rights and freedoms in Central Asian states.

Judicial documents of global and regional character that define human rights and freedoms, documents such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, Convention for the Protection of Human Rights and Fundamental Freedoms, and the Convention of the Commonwealth of Independent States on Human Rights and Fundamental Freedoms serve as the normative legal foundation of this research. The information presented in this publication is based on empirical field and in-house research, analytical

study of materials provided by various human rights and religious organizations, first and secondary sources, publications and legal texts, and on information posted by governmental agencies and institutions on official websites, and by non-governmental/ not-profit organizations. The authors of the publication also thank local and international religious and human rights organizations for their invaluable assistance and providing materials and information.

The religious situation in Central Asia, including legislation pertaining to religion and religious activity, is considered within the context of existing individual and collective rights to freedom of conscience and religion.¹ In this regard, individual and collective aspects of the right to freedom of religion are defined as the right of an individual or social (religious) organization to freedom of religious preference and their manifestation.²

Individual rights and freedoms include the following:

- the right to hold any belief, including the religious, of any religion;
- the right not to adhere to any belief and to profess no religion;
- the right to change religion or belief;
- the right to establish a new religion or belief;
- the right to express and disseminate religious views or other religious convictions and act in accordance with them;

¹ A.V. Pchelintsev, *Svoboda sovesti i veroispovedaniia kak pravovoi institute [Freedom of Conscience and Religion as a Legal Institution,]* 25-09-2015, p. 12. Available online at <www.ateist.ru/4r10.rtf>

² Evhenii Zhovtis, *Analiz osnovnykh tendentsii pravovoho regulirovaniia prava na svobodu sovesti, relihii ili ubezhdenii v Respublike Kazakhstan [Analysis of main trends of legal regulation of the right to freedom of conscience, religion, or convictions in the Republic of Kazakhstan,]* in “Freedom of Religion and Beliefs in Central Asia: Trends and Challenges. Kyrgyzstan, Kazakhstan, Tajikistan 2015,” D. Kabak, A. Alisheva and H. Kolodzinskaia, eds., Central-Asian Forum “Human Rights-Rights of Believers” (Bishkek: OSCE ODIHR, Norwegian Helsinki Committee, Public Fund “Open Position”), 7-10.

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- the right to receive religious instruction, education or upbringing according to one's personal choice;
- the right of parents or official children's caretakers to provide a religious upbringing and education to their children;
- the right of parents or official children's caretakers to protect their children from religious education and training;
- the right to have free access to places of worship;
- the right not to give any oath, if contrary to one's religious beliefs;
- the right to openly express religious convictions or beliefs;
- the right to equal treatment and tolerance by the state of legal expressions of religion or belief;
- the right to privacy of religious convictions or beliefs;
- the right to exemption from civic duties if they are contrary to one's religious convictions, and if necessary, the right to substitute one civic duty for another.

Collective rights and freedoms include the following:

- the right to freedom of association in a religious or faith based organization, which must be registered in the prescribed manner in a state register of legal entities;
- the right to establish and maintain freely accessible places of worship and assembly;
- the right to freedom to express and disseminate religious beliefs, convictions and practices without any coercion or interference by the government and outsiders;
- freedom to acquire and maintain places of worship, to conduct and attend religious services and events;
- the right to manage and direct organizations/associations formed on the basis of religious convictions or beliefs according to institutionally accepted hierarchical structures, including the right to elect, appoint and replace leading personnel in accordance with their own requirements or statutes;
- the right to produce, purchase, import, export and distribute religious literature, in printed or digital form, including

- audiovisual materials and other items used for religious services and activities;
- the right to establish private schools and to manage them, as well as to engage in educational, cultural, charitable and social activities;
- the right to seek and receive voluntary material and financial assistance from individuals and legal entities within the state and/or from abroad to ensure the continuation of its activities.³

Within the framework of this research, the authors believe that the term “freedom of religion” more adequately reflects their definition of religious freedom than that embodied in the concept of “freedom of belief.” This freedom belongs to every person from birth and is an essential component of personal rights; it is part of the more general category of “freedom of conscience,” which encompasses the whole range of other philosophical rights and freedoms.⁴ In the matter of definitions of freedom of conscience and religion, the authors adhere to the theory of freedom of religion which is defined as the human right to accept or reject any world view or religious belief, to profess, individually or jointly with others, any religion or no religion at all; to freely choose, have, change, express and disseminate religious or other convictions and act in accordance with them, without being subjected to harassment and discrimination by the state and society. The right to accept or reject religious convictions or beliefs implies the freedom of individual choice on the basis of ideological, ethical and moral values and preferences. The right to manifest one’s religion guarantees the

³ Anatoliy Vasil’evich Pchelintsev, *Svoboda sovesti i veroispovedaniia kak pravovoi institute [Freedom of Conscience and Belief as Legal Entity.]* Site of Atheists of Runet, available online <www.atheist.ru/4r10.rtf>

⁴ Anatoliy Vasil’evich Pchelintsev, *Svoboda veroispovedaniia i relihioznykh ob’’edinenii v Rossiiskoi Federatsii (constitutsionno-pravovoe issledovanie) [Freedom of Belief and Religious Associations in the Russian Federation (Legal-constitutional research)]* Scientific monograph as partial requirement for the academic degree of Doctor of Juridical Sciences, specialty 12.00.02 (constitutional law; municipal law), Faculty of Constitutional and Municipal Law, FHBOU VPO ‘Russian State Trade-Economic University’, defended on 12-05-2012 in Moscow.

opportunity to follow any doctrine, to disseminate and openly express personal religious beliefs and convictions, and to make them accessible to a wide audience through sermons, speeches and indirect material objects such as books, television, video, advertising, etc. Recognition of the right to operate without restrictions, in accordance with the statutes of the preferred religious organization, implies the freedom to be a member of an existing religious organization or to establish new religious communities, to carry out religious rites and ceremonies, and to produce and distribute religious literature and religious objects, etc.⁵

The authors of the publication address a wide range of individuals and organizations interested in improving the human rights situation within the context of freedom of religion, expression, association and education in post-Soviet Central Asia. The authors intend to draw attention to necessary steps for improving the situation through implementation of a number of urgent political and communication measures. The cooperation of national Central Asian governments and the international (European) community is, therefore, a must. Mission Eurasia's Religious Freedom Initiatives provide an essential platform and format for cooperation between the two.

⁵ Anatoliy Vasil'evich Pchelintsev, *Svoboda veroispovedaniia i relihioznykh ob''edinenii v Rossiiskoi Federatsii (constitutsionno-pravovoe issledovanie)* [*Freedom of Belief and Religious Associations in the Russian Federation (Legal-constitutional research)*] Scientific monograph as partial requirement for the academic degree of Doctor of Juridical Sciences, specialty 12.00.02 (constitutional law; municipal law), Faculty of Constitutional and Municipal Law, FHB OU VPO 'Russian State Trade-Economic University', defended on 12-05-2012 in Moscow.

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In the early 1990s, the former Soviet republics became independent states. The years following independence were a time of significant political reform, of re-arrangement of political elites, and the adoption of new legal texts, norms and values corresponding to the new socio-economic-political situation. Post-Soviet countries also began the process of active integration into the system of international relations, of establishing sovereign diplomatic relations, and adhering to international political and economic unions, conventions and treaties.

In this publication, authors highlight the main problems and challenges to freedom of religion, expression, association and to the religious dimension of education in the five post-Soviet Central Asian states: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.



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