

Press Release

The Draft Law on “Religion” is Under Consideration in the Kyrgyz Parliament

(Translated)

The draft law on “Freedom of Religion and Religious Organizations” proposed by the Kyrgyz government and submitted for public discussion has reportedly been submitted to the Jogorku Kenesh (Kyrgyz parliament). Some additions have been made to the previously discussed version of the above-mentioned law, but its basic essence has not changed. Therefore, it is necessary to clarify the government’s goals behind the draft law and remind Muslims that it is contrary to Islam.

The fact that the project is contrary to Islam is evident from the restrictions set by the law. For example, it prohibits visiting residential and non-residential places for the purpose of calling for Islam, teaching Islamic education individually, and teaching outside of a religious school. This means banning of the Dawah, which is the main duty of Muslims, and banning “hujra”-style schools, which have helped preserve Islam since the Soviet era.

In addition, the term “preacher” (al-wa’ith) was deliberately introduced into the bill. The purpose is to control the preachers’ call on the Internet or outside the area designated for him. For example, an imam of a mosque in a certain area is not allowed to preach or carry out religious activities outside the area in which he is registered. He must also have a higher religious education and be registered with the religious authority every year to call people to follow Islam. If he speaks in one of his sermons (khutbah) about a religious duty that conflicts with the interests of the government or is against the law, the religious authority has the right to immediately stop his activity. On the other hand, unregistered preachers will be deprived of the right to carry the Dawah.

In fact, calling people to Islam, enjoining what is right and forbidding what is wrong is a duty upon every Muslim, and whoever abandons it is a sinner, just like someone who abandons prayer. Moreover, you are considered a scholar according to the Shariah, in what you know, and you must convey it to those who do not know it and teach it. The Messenger of Allah (saw) said: **«...فَرُبَّ حَامِلٍ فِقْهٍ غَيْرٍ فَقِيْهِ، وَرُبَّ ...There are those who have knowledge but no understanding, and there may be those who convey knowledge to those who may have more understanding of it than they do.»** The Messenger of Allah (saw) said about the importance of enjoining good and forbidding evil: **«إِنَّ أَوَّلَ مَا دَخَلَ النَّفْسُ عَلَى بَنِي إِسْرَائِيلَ كَانَ الرَّجُلُ يَلْقَى الرَّجُلَ فَيَقُولُ: يَا هَذَا اتَّقِ اللَّهَ وَدَعْ مَا تَصْنَعُ فَإِنَّهُ لَا يَجِدُ لَكَ، ثُمَّ يَلْقَاهُ مِنَ الْعَدُوِّ فَلَا يَمْنَعُهُ ذَلِكَ أَنْ يَكُونَ أَكْبَلَهُ وَشَرِيْبَهُ وَقَعِيدَهُ، فَلَمَّا فَعَلُوا ذَلِكَ ضَرَبَ اللَّهُ قُلُوبَ بَعْضِهِمْ بِبَعْضٍ»** **«ثُمَّ قَالَ: «لَعَنَ الَّذِينَ كَفَرُوا مِنْ بَنِي إِسْرَائِيلَ عَلَى لِسَانِ دَاوُدَ وَعِيسَى ابْنِ مَرْيَمَ ذَلِكَ بِمَا عَصَوْا وَكَانُوا يَعْتَدُونَ * كَانُوا لَا يَتَنَاهَوْنَ عَنْ مُنْكَرٍ فَعَلُوهُ لَبِئْسَ مَا كَانُوا يَفْعَلُونَ * تَرَى كَثِيرًا مِنْهُمْ يَقُولُونَ الذِّينَ كَفَرُوا لَبِئْسَ مَا قَدَّمَتْ لَهُمْ أَنْفُسُهُمْ أَنْ سَخِطَ اللَّهُ عَلَيْهِمْ وَفِي الْعَذَابِ هُمْ خَالِدُونَ * وَلَوْ كَانُوا يُؤْمِنُونَ بِاللَّهِ وَالنَّبِيِّ وَمَا أُنْزِلَ إِلَيْهِ مَا اتَّخَذُوهُمْ أَوْلِيَاءَ وَلَكِنْ كَثِيرًا مِنْهُمْ فَاسِقُونَ»** **«ثُمَّ قَالَ: «كَلَّا وَاللَّهِ لَتَأْمُرَنَّ بِالْمَعْرُوفِ وَلَتَنْهَوْنَ عَنِ الْمُنْكَرِ، وَلَتَأْخُذَنَّ عَلَى يَدَيِ الظَّالِمِ، وَلَتَأْطُرَنَّهُ عَلَى الْحَقِّ أَطْرًا، وَلَتَقْصُرَنَّهُ «The first defect that permeated Banu Isra'il was that a man (of them) met another man and said: O so-and-so, fear Allah, and abandon what you are doing, for it is not lawful for you. He then met him the next day and that did not prevent him from eating with him, drinking with him and sitting with him. When they did so. Allah mingled their hearts with each other. He (saw) then recited the verse: “The disbelievers among the Children of Israel were condemned in the revelations of David and Jesus, son of Mary. That was for their disobedience and violations * They did not forbid one another from doing evil. Evil indeed was what they did! * You see many of them taking the disbelievers¹ as allies. Truly wicked are their misdeeds, which have earned them Allah’s wrath. And they will be in everlasting torment * Had they believed in Allah, the Prophet, and what has been revealed to him, they would have never taken those ‘pagans’ as allies. But most of them are rebellious” [Al-Ma'idah: 78-81]. He (saw) then said: “By no means, I swear by Allah, you must enjoin what is good and prohibit what is evil, prevent the wrongdoer, bend him into conformity with what is right, and restrict him to what is right, or Allah will mingle your hearts together and curse you as He cursed them”.**

This bill paves the way for reducing the number of mosques across the country and closing unregistered mosques and prayer halls built with the money and efforts of Muslims or at the expense of

sponsors. It also allows reducing the number of mosques built in areas where Islam is widespread. Therefore, through the bill on "religion", the government is trying to control the activities of Muslims and obstruct the Islamic call that is deeply penetrating society. Of course, such a movement did not start today! Rather, this struggle has been ongoing since the collapse of the Soviet Union and the beginning of the use of the draft of the new constitution in Kyrgyzstan.

Initially, the Kyrgyz Constitution was based on secularism, and in 1993 mixing religion with politics was prohibited. In 1996, the draft law on "religion" was adopted, and some restrictions were imposed on the activities of religious organizations. However, Islam began to spread rapidly in the country. In 2001 the draft law on "religious organizations" was adopted. This paved the way for the government to control the religious sphere. In 2003, the concept of "national security" was adopted, and Islam was considered a primary threat. After that, the "Anti-Terrorism" Center of the Shanghai Cooperation Organization was opened in Tashkent, and the draft law on combating extremism and terrorism in Russia was immediately adopted.

The activities of the Islamic political party Hizb ut Tahrir were then banned in Russia and Kyrgyzstan. In particular, the Bakiyev regime, which came to power after a coup in 2005, intensified the persecution of the party's members and supporters. In 2006, the religious concept was developed, and the law on "Freedom of Religion and Religious Organizations" was adopted on the basis of this concept in 2008. The religious status in this law was defined more clearly than before, and special attention was paid to secular understanding and religious tolerance. The terms "religious extremism," "radicalism," and "fundamentalism" were also introduced into the law. These terms opened the way for the government to persecute people it considered to be its opponents and actions that it opposed as "extremism." In addition, strict restrictions were imposed on the distribution and use of religious literature. Amendments to the law on "Freedom of Religion and Religious Organizations" adopted in 2011 placed additional requirements on religious organizations.

In 2014, the Concept of State Policy in the Religious Sphere for 2020 was adopted, on the initiative of Atambayev and the decision of the Defence Council. Then the issue of banning the Tablighi Jamaat was raised. However, this initiative was postponed due to opposition from Muslims. However, under Russian pressure in 2017, amendments were made to the law on "Freedom of Religion and Religious Organizations", which prohibits door-to-door Islamic preaching. Accordingly, those who want to call for Islam, that is, enjoin good and forbid evil, are required to obtain permission from the Mufti and the Ministry of Internal Affairs. Those who said "it is not necessary to obtain permission from Allah's creation to obey His commands and avoid His prohibitions" - will be divided into the category of "Yakin-Inkar" and will be included in the list of "extremist" organizations through the court.

In 2021, the "Concept of State Policy of Kyrgyzstan in the Religious Sphere for 2021-2026" was adopted. Within the framework of this concept, Jogorku Kenesh adopted the new draft law on "Freedom of Religion and Religious Organizations".

It is clear from this that every concept and draft law adopted in the religious field in our country is directed towards persecuting Muslims and against the spread of the call. The more these laws are reviewed, the more stringent measures will be enforced. The only reason for this is that the decisions taken in the religious field were made under the pressure of the colonial powers and the international and regional organizations that became their tools. Therefore, every Muslim and every group will be asked on the Day of Judgment according to their ability and capabilities about the draft law adopted today. The rulers are responsible for fulfilling the demands of the kafir colonizers in the best possible way. If they do so under duress, they have committed a great sin. If they resist the coercion of the kuffar and refrain from doing such reprehensible acts, they will receive a great reward.

However, the believers, especially the scholars, must denounce such immoral people so that they can be the heirs of the prophets. The Messenger of Allah (saw) said: **«إِنَّ الْعُلَمَاءَ وَرَثَةُ الْأَنْبِيَاءِ، إِنَّ الْأَنْبِيَاءَ لَمْ يُوْرَثُوا دِينَاراً وَلَا دِرْهَمًا، إِنَّمَا وَرَثُوا الْعِلْمَ، فَمَنْ أَخَذَ بِهِ أَخَذَ بِحِطِّ وَافِرٍ»** **"The scholars are the heirs of the Prophets who bequeath neither dinar nor dirham but only that of knowledge; and he who acquires it, has in fact acquired an abundant portion."**

**Media Office of Hizb ut Tahrir
in Kyrgyzstan**