



United States Mission to the OSCE

Statement on Fundamental Freedoms in Kyrgyzstan

As delivered by Ambassador Julie Finley
to the Permanent Council, Vienna
June 12, 2008

Thank you, Mr. Chairman.

The United States feels compelled to take the floor to express our concerns about recent legislation in Kyrgyzstan that appears to undermine democratic progress and restrict fundamental freedoms.

On June 3rd, President Bakiev adopted the Law on TV and Radio Broadcasting. This law undermines Kyrgyzstan's stated goal of developing an independent public service broadcaster by giving the President control over appointing the leadership and nominating the board of the National Television and Radio Company of Kyrgyzstan. The law was adopted without consultations with media experts, such as the Representative on Freedom of the Media, and without widespread public comment and debate.

Several pieces of draft legislation currently in parliament, including the law on public assembly and the law on religion, also raise concerns. The draft law on public assembly would limit the rights of citizens to peaceful assembly, and in its current form appears to be clearly inconsistent with article 9.2 of the OSCE Copenhagen Document. We are encouraged that Parliament has accepted an offer from ODIHR to conduct a review of this legislation, and we urge the Government to take its recommendations into account.

The draft law on freedom of religion and religious organizations, drafted by the State Agency for Religious Affairs, appears to threaten the protection of religious freedom in Kyrgyzstan. If adopted in its current form, in our view the law will contradict commitments undertaken by all OSCE participating States in the Vienna Document from 1989 and the Copenhagen Document from 1990. In particular, the draft law would increase the required number of members to 200, an increase of 2000 percent, to officially register a religious organization. This requirement would restrict free activities for smaller religious organizations in Kyrgyzstan and religious orders which are relatively new to Kyrgyzstan. The law would also ban various forms of peaceful religious expression, prohibit unregistered religious education, and disallow the distribution of religious material without Government approval - all provisions in contradiction of our OSCE commitments.

We urge the Government to work with the OSCE Center and ODIHR to consider improvements to this legislation that would bring it in line with Kyrgyzstan's OSCE commitments. Bringing other parts of civil society, religious organizations, and the general public into the debate would also seem appropriate. The OSCE Center should be able to help facilitate this dialogue.

Mr. Chairman, the Government of Kyrgyzstan has staked out a strong public platform for reform, and is on record calling for consolidating the rule of law. We have applauded these statements, and are pleased with the Government's progress on legislation regarding the judiciary and the criminal code. In this same spirit of positive, democratic reform, we encourage the Government of Kyrgyzstan to take this opportunity—right now—to redirect the current draft legislation in a manner that better protects political and civil rights.

Thank you, Mr. Chairman.