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KYRGYZSTAN: Violent attacks continue in 2022 and into 2023

By Mushfig Bayram, Forum 18 (<https://www.forum18.org/>)

Violent attacks against non-Muslims in regions outside the capital Bishkek have continued in 2022 and into 2023, local Protestants told Forum 18. Officials refused to explain why perpetrators are not prosecuted and punished, and what is being done to stop such attacks. When such attacks happen, Protestants stated, "local believers are afraid to complain to the authorities" as "they are afraid of reprisals from the authorities and local mobs for complaining". "These are only isolated cases," Kanatbek Midin uuly of the State Commission for Religious Affairs claimed.

The long-standing problem of violent attacks against non-Muslims in regions outside the capital Bishkek has continued in 2022 and into 2023, local Protestants have told Forum 18. Such attacks have taken place with the complicity of the authorities, and include refusals to allow the family and friends of the dead to conduct funeral ceremonies in the way the dead would wish. Some non-Muslims have been forced to convert to Islam to bury their dead.

These attacks include "concrete threats by mobs in regions nationwide to forcibly convert ethnic Kyrgyz Christians to Islam," a Protestant who wished to remain anonymous for fear of state reprisals stated.

In one such case, a mob threatened ethnic Kyrgyz Christians that they would be driven out of their homes if they did not convert to Islam. Protestants told Forum 18 that the local authorities "calmed down the mob members and made the two sides make peace," but no prosecutions were brought against the perpetrators (see below).

Nurjigit Tursunbekov, head of the administration in Issyk-Kul Governor's Office, refused to explain why the perpetrators of such attacks were not prosecuted and punished, and what is being done to stop them. Protestants nationwide also stated that, when such attacks happen, "local believers are afraid to complain to the authorities". This is because "they are afraid of reprisals from the state authorities and the local mobs for complaining" (see below).

In another case, the identified perpetrators of a 2018 arson attack on a Baptist church in the north-eastern Issyk-Kul Region have still in 2023 not been prosecuted and punished, and promised compensation has still not been paid (see below).

Tursunbekov of Issyk-Kul Governor's Office refused to explain why the perpetrators of the arson attack on the Baptist church have not been put on criminal trial and punished, why the authorities have not forced the compensation to be paid, and what steps are being taken to stop future attacks. "The law-enforcement agencies are working on these issues," he claimed to Forum 18 (see below).

Human rights defenders and Protestants have called for nationwide public proactive action to stop such attacks. "By not punishing the perpetrators, the authorities encourage attacks against non-Muslims," a human rights defender told Forum 18 (see below).

Zamir Tursunbekov of the Presidential Administration, who is responsible for religious affairs, and Kanatbek Midin uuly, the newly-appointed Deputy Director of the State Commission for Religious Affairs (SCRA), have both refused to explain to Forum 18 why the authorities are not punishing the perpetrators of violent attacks on non-Muslims, and are not taking proactive steps to eradicate such violence and to protect freedom of religion or belief for all.

"These are only isolated cases," Midin uuly claimed, "and they cannot cast a shadow on the generally positive situation for religious freedom" (see below).

In stark contrast to the treatment of the perpetrators of violent attacks on people and communities exercising their freedom of religion and belief, the authorities have quickly imposed a fine equivalent to eight months' average wages on a Protestant who on social media commented on religious topics and on the President. He is now faced with imprisonment if he does not fully pay the fine (see below).

Violent attacks continue

The problem of violent attacks against non-Muslims (https://www.forum18.org/archive.php?article_id=2711) in regions outside the

capital Bishkek is long-standing. Such attacks have taken place with the complicity of the authorities, and include refusals to allow the family and friends of the dead to conduct funeral ceremonies in the way the dead would wish. Some non-Muslims have been forced to convert to Islam to bury their dead.

Such attacks continued in 2022 and into 2023, Protestants nationwide told Forum 18 in January 2023. These include "concrete threats by mobs in regions nationwide to forcibly convert ethnic Kyrgyz Christians to Islam", a Protestant who wished to remain anonymous for fear of state reprisals stated.

In one such case, in November 2022 in one part of the north-eastern Issyk-Kul Region, a mob threatened ethnic Kyrgyz Christians that they would be driven out of their homes if they did not convert to Islam, local Protestants told Forum 18. Mob members described Islam to the Christians as "our own traditional religion".

The local authorities "calmed down the mob members and made the two sides make peace," Protestants added. However, no prosecutions were brought against the perpetrators.

Nurjigit Tursunbekov, head of the administration in Issyk-Kul Governor's Office, refused to explain why the perpetrators were not prosecuted and punished, and what is being done to stop such attacks. "I cannot answer these questions over the phone. Please send your questions in writing," he told Forum 18 from the regional capital Karakol on 15 December 2022. Forum 18 sent written questions the same day, but had received no reply by the end of the working day of 23 January 2023.

Protestants nationwide also stated that, when such attacks happen, "local believers are afraid to complain to the authorities". This is because "they are afraid of reprisals from the state authorities and the local mobs for complaining."

2018 church arson perpetrators unpunished, compensation unpaid

In January 2018, a Baptist Church in Kaji-Sai in Issyk-Kul Region was burned out in an arson attack (https://www.forum18.org/archive.php?article_id=2346). Baptists found bottles filled with petrol nearby, and although police claimed to be investigating the crime, local Baptists did not think this was the case. Baptists are convinced that the arson attack happened because the police have done nothing to find and punish the perpetrators of a series of violations of human rights, including of freedom of religion and belief, that have taken place in the Region since 2010.

The authorities closed down the investigation in 2019 (https://www.forum18.org/archive.php?article_id=2430), and told the people responsible for the arson attack to pay financial compensation (https://www.forum18.org/archive.php?article_id=2491). However, as of January 2023 this has not been paid.

"To this day no one was seriously punished for it," Baptists who wish to remain anonymous for fear of reprisals told Forum 18 on 11 January 2023. "State agencies obliged the same people who carried out the attack to compensate us for the repair work we did to the church building. We have asked them several times since 2019 to pay us the promised money, but they always refuse to do this."

Local Baptists said that there have been no new attacks on their members or the Church building since the arson attack, and that they are continue to meet for worship regularly.

Tursunbekov of Issyk-Kul Governor's Office refused to explain why the perpetrators of the arson attack have not been put on criminal trial and punished, why the authorities have not forced the compensation to be paid, and what steps are being taken to stop future attacks. "The law-enforcement agencies are working on these issues," he claimed to Forum 18.

"By not punishing the perpetrators, the authorities encourage attacks"

"By not punishing the perpetrators, the authorities encourage attacks against non-Muslims," a human rights defender told Forum 18 in November 2019 (https://www.forum18.org/archive.php?article_id=2491). "I think this is done to make people afraid to share or make public their beliefs, particularly in the regions."

A Protestant leader, who asked not to be named for fear of state reprisals, in November 2019 also came to the same conclusion as the human rights defender. "I think that the central authorities, by not punishing the perpetrators of violent physical attacks and of burial problems, by not punishing the local authorities for taking no effective action against the perpetrators, and by not taking serious steps to prevent such violations in future (https://www.forum18.org/archive.php?article_id=2491), send a message that they quietly agree with attacks and do not want people to exercise their freedom of religion and belief in the regions."

Calls for strong public proactive action

Both the human rights defender and the Protestant leader called for the authorities to take nationwide strong public proactive action (https://www.forum18.org/archive.php?article_id=2491) "to strongly affirm the equality of Muslims and all other religious communities" and freedom of religion and belief for all.

When a Protestant, Eldos Sattar uuly, was attacked in the village of Tamchi in Issyk-Kul Region in 2018 (https://www.forum18.org/archive.php?article_id=2460) leaving him in need of immediate surgery, the authorities dropped the criminal case using the excuse of Sattar uuly's absence. He fled the country because he received threats from his attackers during the police cross-questioning in Bishkek.

However, one Protestant told Forum 18 that the widespread condemnation of the attacks on Sattar uuly (https://www.forum18.org/archive.php?article_id=2491) and members of his church on social media – including by local Muslims - may have influenced the residents of Tamchi to stop attacking local Christians and their friends.

"Generally positive situation for religious freedom"?

Kanatbek Midin uuly, appointed on 13 December 2022 Deputy Director of the State Commission for Religious Affairs (https://www.forum18.org/archive.php?article_id=2711) (SCRA), refused to explain to Forum 18 why the authorities are not punishing the perpetrators of violent attacks on non-Muslims, and are not taking proactive steps to eradicate such violence and to protect freedom of religion or belief for all.

"These are only isolated cases," Midin uuly claimed to Forum 18 from Bishkek on 16 December 2022, "and they cannot cast a shadow on the generally positive situation for religious freedom (https://www.forum18.org/archive.php?article_id=2711) in Kyrgyzstan".

When Forum 18 raised the specific questions of no punishments by 2023 for the identified perpetrators of the 2018 arson attack on the Kaji-Sai Baptist Church, and no punishments for violent attacks in 2022, SCRA Deputy Director Midin uuly refused to comment. "Please send your questions in writing," he replied. Forum 18 sent written questions the same day, but received no reply by the end of the working day in Bishkek of 23 January 2023.

Zamir Tursunbekov of the Presidential Administration, who is responsible for religious affairs, told Forum 18 on 18 January that "I know of such an attack on Christians in Issyk-Kul Region recently." He then claimed: "We wanted to help the victims but they did not complain. We are against such attacks, we are for religious freedom."

When Forum 18 asked why the authorities are not punishing the perpetrators of attacks, and are not taking proactive steps to eradicate such violence, Tursunbekov refused to answer on the phone. He then asked Forum 18 to send its questions in writing to the Presidential Administration and the SCRA.

On 18 January, SCRA Deputy Director Midin uuly claimed to Forum 18 that he had not received questions sent in writing on 16 December 2022. He also refused to discuss why the authorities are not punishing the perpetrators of attacks, and are not taking proactive steps to eradicate such violence.

Neither Tursunbekov of the Presidential Administration, nor Midin uuly of the SCRA, were prepared to explain why no punishments proportionate to violent attacks are given to attack perpetrators, yet a large fine was swiftly given to a Protestant who made social media posts about religious topics and the President (see below).

Protestant fined 8 months' average wages for social media posts

In stark contrast to the treatment of the perpetrators of attacks on people and communities exercising their freedom of religion and belief, the authorities have quickly imposed a fine equivalent to eight months' average wages on a local Protestant who commented on social media on religious topics and on the President. He is now faced with imprisonment if he does not pay the fine in full.

On 8 August 2022, Judge Emilbek Kaipov of Moscow District Court in the northern Chui Region found local Protestant Aytbek Tynaliyev guilty under Criminal Code Article 330 (https://www.forum18.org/archive.php?article_id=2711) ("Incitement of racial, ethnic, national, religious or inter-regional enmity (discord)", Part 1, for three of his social media posts. The Judge fined him 100,000 Soms, equivalent to about eight months' average wages, according to the decision seen by Forum 18.

Police opened a case against Tynaliyev and searched his flat in June 2022, after a 7 June Justice Ministry "expert analysis" found that three of his Facebook posts up to May 2022 were "extremist". They allegedly "discredited the honour of Muslims and spread a negative attitude to the public about Islam in general," and "damaged the reputation of President [Sadyr Japarov]" and other officials.

When police searched Tynaliyev's flat in June 2022 they confiscated his mobile phone and laptop computer. Officials returned these to him after the 8 August verdict.

The Facebook posts noted in Judge Kaipov's verdict, which Tynaliyev admits to posting, are:

- On 4 May 2022 Tynaliyev wrote: "Imams, leave the schools alone. You have mosques and madrassahs to teach Islam. Aren't they enough for you?" He told Forum 18 that this was because he had seen reports of an imam visiting a Bishkek school, but he himself had no direct knowledge of the school or the imam's visit.

Local Protestants, who wished to remain anonymous for fear of state reprisals, told Forum 18 that, as part of the State Policy in the sphere of religion, the authorities had begun a pilot secondary school project teaching a subject called the basics of religious cultures. They told Forum 18 that, as part of this subject, they knew of only one instance when a Bishkek school invited an imam of a mosque to "introduce the authorities' version of Islam to children," as one Protestant put it.

- On 5 May 2022 Tynaliyev wrote: "When there is a demand for new kindergartens for children, why in Nookan [a district in Jalal-Abad Region] is a kindergarten building being used as a mosque?" He told Forum 18 that this was because he had heard rumours of a large demand for kindergartens, and had heard of a mosque using a former kindergarten building, but he himself did not know what the demand for kindergartens was or how many religious communities used former kindergarten buildings.

Local Protestants, who wished to remain anonymous for fear of state reprisals, commented to Forum 18 that they were not aware of a large demand for kindergartens. They also noted that in the 1990s a large number of kindergarten buildings were sold to religious communities, including to Protestant churches.

Criticism of President

- Tynaliyev also wrote "President [Japarov], corrupt officials, thieves, bandits work and live happily, and those who work hard with their sweat become labour migrants and struggle to provide for their families."

Local Protestants, who wished to remain anonymous for fear of state reprisals, told Forum 18 that there were what they described as "heated discussions" by various people on Tynaliyev's religious posts, which are not the only such comments he has made. However, none of those other people are known to have been investigated by police or taken to court for their comments. Local Protestants suggested that Tynaliyev might have been singled out because – unlike the others – he also made comments on the President.

On 18 December 2022, Judge Kaipov refused to explain why Tynaliyev alone was punished despite many other having also commented on social media, and whether he was punished because he commented on the President and other officials. "You have no right to call me, and I have no right to answer you," the Judge told Forum 18 from the court in the town of Belovodskoe. He then put the phone down.

On 18 January 2023, Tursunbekov of the Presidential Administration told Forum 18 that he had not heard about Tynaliyev's case. "We will investigate it," he said.

SCRA Deputy Director Midin uuly refused to discuss Tynaliyev's case with Forum 18 on 16 December 2022.

No appeal made

Tynaliyev did not appeal against the verdict "as I was warned by some court officials that I could get a prison term under the charges if I appeal", he told Forum 18. He declined to give the names of the court officials, for fear of a more serious punishment.

On 13 December, Judge Kaipov refused to explain to Forum 18 what was legally "extremist" in Tynaliyev's social media posts, replying: "If he is not guilty why did he not appeal?"

When Forum 18 noted that Tynaliyev is afraid of more severe punishment if he appeals, Judge Kaipov laughed and commented: "Who is he afraid of? If any authorities threatened him he can also complain about that." The Judge then refused to discuss the case further.

Part-payment of fine, possible imprisonment

In November 2022, Tynaliyev paid 25,000 Soms of the 100,000 Som fine, which is in total equivalent to about eight months' average wages. "It is a huge amount and I could not afford to pay more," Tynaliyev told Forum 18.

On 2 November Bailiff Erlan Kolbayev of Moscow District Court Bailiffs warned Tynaliyev in writing that if he did not pay the remainder by 8 December he would be taken back to court and could face imprisonment. Bailiff Kolbayev refused to discuss the case with Forum 18 on 11 January 2023.

Emil Jumatajev, Head of Moscow District Bailiffs Department, told Forum 18 on 16 December 2022 that "we need to return Tynaliyev's case to the Court as the due date for paying the fine has expired. If he doesn't pay the remainder soon, we will do so."

On 20 January 2023, Moscow District Court extended the deadline for Tynaliyev to pay his fine to 21 February. On 21 January he

told Forum 18 that "I am afraid that I will not be able to pay it on time." (END)

More reports on freedom of thought, conscience and belief in Kyrgyzstan (<https://www.forum18.org/Archive.php?country=30>)

For background information, see Forum 18's Kyrgyzstan religious freedom survey (https://www.forum18.org/archive.php?article_id=2711)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (https://www.forum18.org/Archive.php?article_id=1351)

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If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY