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KYRGYZSTAN: Where can the dead be buried?

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

Kyrgyz Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees have complained to Forum 18 News Service that the problem of burying deceased members of their communities is unresolved, especially in rural areas. Local administrations, local people and Muslim leaders often oppose the burial of non-Muslims or insist that they be buried according to Islamic rituals. Attempts to discuss the issue – including a meeting at the State Agency for Religious Affairs - have not led to a solution. Alisher Sobirov, the chair of Parliament's standing Commission on Religion, told Forum 18 that "no one outside the local administrations - including the Muftiate - has the right to make decisions on cemeteries." Asked what should be done, Sobirov claimed that it was not within Parliament's power to address burial issues. Asan Saipov of the Muftiate told Forum 18 that they had decided "not to allow the burial of non-Muslims in Muslim cemeteries" - even though these are run by local authorities and are usually the only local cemeteries. He insisted that villagers made the right decision in stopping the family of a 14 year old Baptist from burying him.

Members of religious minorities have complained to Forum 18 News Service that the problem of burying deceased members of their communities remains unresolved, especially in rural areas. Local administrations, local people and Muslim leaders have often opposed the burial of non-Muslims in local cemeteries or insist that they be buried according to Islamic rituals, regardless of the faith they belonged to. Religious minorities complain that attempts to discuss the issue – including a meeting at the State Agency for Religious Affairs in the capital Bishkek on 2 July - have not led to a solution.

Minorities say the meeting failed to resolve the problem that a fatwa [Islamic ruling] issued by the country's Muftiate (the national Muslim spiritual leadership) banning the burial of non-Muslims in "Muslim" cemeteries effectively denies members of religious minorities the possibility of being buried in cemeteries run by local administrations. These are often the only local cemeteries.

Three representatives of the Muftiate, one from the Russian Orthodox Church, and five from Protestant churches took part in the 2 July meeting, alongside State Agency officials. No Catholic or non-Christian minority representatives attended the meeting.

Kanybek Osmonaliev, the Chair of the State Agency for Religious Affairs, told Forum 18 on 7 July that participants in the 2 July meeting decided that, each time such a problem occurred, the heads of religious communities should meet to find a common solution. "Representatives of the Russian Orthodox Church for instance, gave their consent to bury Baptists and those from other Christian denominations in their cemeteries," said Osmonaliev. He did not say what should happen to deceased members of other faiths.

Asked how realistic the idea of a meeting was each time a non-Muslim died and the family faced problems arranging a timely burial, Osmonaliev said that it was the first such meeting, and it was too early to think that the issue was totally resolved. "In the meantime we will publish the record of our first meeting and distribute it to the participants."

Asked how the Muftiate could issue a fatwa about cemeteries which are owned by local administrations, Osmonaliev responded: "We have democracy in Kyrgyzstan, and the Muftiate is free to make its own decisions."

Alisher Sobirov, the chair of Parliament's standing Commission on Religion, told Forum 18 on 7 July that the issue of cemeteries is not regulated by law but by the norms and decrees of local administrations. "No one outside the local administrations - including the Muftiate - has the right to make decisions on cemeteries," he underlined. "Furthermore the heads of religious communities are not authorised to make decisions on burial issues," commented Sobirov, referring to the decision made at the State Agency meeting.

Asked what should be done to resolve the issue, given the attitudes of some local administrations, Sobirov claimed that it was not within Parliament's power to address burial issues. "This can only be resolved at the level of local government," he emphasised. "We will not engage in burial issues."

However, Sobirov said that it was in theory possible to allocate part of the existing cemeteries to non-Muslims, or to allocate other plots of land. "Sometimes the problem is also a shortage of suitable land," he stated.

Rahatbek Chuitiev, Pastor of the Baptist church of Naryn, told Forum 18 on 5 July that the meeting brought no positive results. "The

situation is as it was before, nothing has changed," he complained. Chuitiev said that on 2 July they sent a letter, a copy of which Forum 18 has seen, to Kurmanbek Bakiev, the President of Kyrgyzstan, complaining that the burial obstructions represent the "gross violation" of their rights as believers and citizens.

The letter referred particularly to the case in mid-May that affected a Baptist family in the village of Kulanak in Kyrgyzstan's central Naryn Region. There the family of a 14 year old boy were prevented from burying him by the head of the local administration, the police and a village mob. The boy's body was then stolen by police, and the family told Forum 18 they then faced pressure to drive them out of their village. The case was the latest in a series of similar cases where ethnic Kyrgyz or local Uzbeks who have become Christians, Baha'is or Jehovah's Witnesses have been denied burial (see F18News 2 June 2008 http://www.forum18.org/Archive.php?article_id=1138).

In their letter, the Baptists asked President Bakiev "how is it possible that the Muftiate, as a religious organisation, can issue a fatwa on the burial of non-Muslims and thus interfere in civil affairs?" They also ask the President to take urgent action to restore their civil rights. "Otherwise," the letter states, "Articles 15 and 16 of the Constitution - on human dignity, basic human rights and freedoms - should be removed in order to not mislead the people of Kyrgyzstan or the international community."

Aynura Teymirova, the Press-Secretary of Naryn Region's Akim (Head of Executive Authority), told Forum 18 on 8 July that "it does not bother me where they [non-Muslims] want to bury their dead." Asked whether the Akim had any written policies on such issues, Teymirova refused to respond. "I cannot tell you anything about the policy on burial issues," she said.

Asan Saipov, the press-secretary of the Muftiate, told Forum 18 on 9 July from Bishkek that the Kulanak case was not the first time a problem arose when burying a non-Muslim. Similar cases took place in the 1990s after Kyrgyzstan gained independence from the Soviet Union. "As the problem was recurring in several places, the Council of Ulema [Islamic scholars] at the Muftiate issued a fatwa in 2002 based on Shariah not to allow the burial of non-Muslims in Muslim cemeteries."

Told that cemeteries in Kyrgyzstan are in the hands of local administrations, Saipov insisted that, although Kyrgyzstan is a secular state, Kyrgyz people consider themselves Muslim. "We made our position clear to people on this issue, but it is actually the local people's decision whether or not to bury such people in their cemetery," he maintained. Referring to the case in Kulanak he insisted that the villagers made the right decision. "If I lived in Kulanak I would have made the same decision."

Saipov complained to Forum 18 that he thought the problems of non-Muslims were deliberately exaggerated by the media. "Thousands of Muslims are being killed around the world today yet no one wants to write about it," he claimed. "But one Baptist was not allowed to be buried in Kulanak and journalists make such a lot of noise about it. You're making a mountain out of a molehill."

As well as Baptists, representatives of other religious communities have also complained to Forum 18 of problems over burials. "In one case, the local imam allowed us to bury the deceased only after we gave our consent to holding Muslim burial rituals," one Baha'i – who preferred not to be named – told Forum 18 on 8 July. "Generally, we do not have problems if we allow the local mosque to carry out their rituals. But of course, we are not happy with this situation."

The Baha'i insisted that the religious community the deceased individual belonged to should decide who to invite to funerals or what rituals to conduct. Cemeteries should, the Baha'i stated, be available to be used by all people. "I don't understand why people have to divide cemeteries into Muslim and non-Muslim categories."

Vladimir Gavrillovsky, the chairman of the Jehovah's Witnesses in Kyrgyzstan, also complained of burial problems. "Recently, in Jalal-Abad and other regions of the country, we have had problems when some people would not allow us to bury our dead in the local cemeteries," he told Forum 18 from Bishkek. He said that, each time, it took a lot of negotiations with local administrations before they were allowed to go ahead with the burials.

Synarkul Muralieva of the Hare Krishna community told Forum 18 on 10 July that, so far, only three of their community have died. The body of one devotee was taken away by relatives and buried according to Muslim rituals, whilst the other two devotees – who did not have close relatives – were buried according to Krishna traditions, with spiritual songs at the graves. The bodies of Hare Krishna devotees are usually cremated, but the community in Kyrgyzstan does not do this as they think it would cause a large controversy.

Many of Kyrgyzstan's religious communities remain highly concerned by continuing moves to restrict freedom of thought, conscience and belief. Even though a Decree that would have restricted religious freedom was rejected in February, moves are still underway to pass a more restrictive Religion Law (see F18News 4 March 2008 http://www.forum18.org/Archive.php?article_id=1096). (END)

For background information see Forum 18's Kyrgyzstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=222.

More reports on freedom of thought, conscience and belief in Kyrgyzstan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=30>.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Kyrgyzstan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kyrgyz>.

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