

15 December 2016

KYRGYZSTAN: No grave, no prosecutions over twice-exhumed Christian

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

The authorities have failed to prosecute those who in October led mobs who twice dug up the body of deceased Protestant Kanygul Satybaldiyeva and officials who allowed this to happen. Officials still will not tell Satybaldiyeva's daughter what they did with her mother's body.

Two months after Kanygul Satybaldiyeva's 13 October death, her daughter Zhyldyz Azayeva still does not know where the authorities took her body. She has been trying in vain to find out, as she would like to rebury her mother in a graveyard with a Christian ceremony. She is also calling on the authorities to prosecute those responsible for leading the mobs in the two exhumations of her mother's body and officials who failed to stop them.

Mobs in two different villages dug up Satybaldiyeva's body, insisting that as a non-Muslim she could not be buried in village cemeteries. Police, secret police and officials observed the exhumations but did not stop them. The authorities insist they then buried the body (in the absence of any family members), but did not tell Azayeva where they did so.

In early November one police officer showed Azayeva a patch of open grassland 15 kilometres (10 miles) from the nearest settlement in Jalal-Abad Region. He insisted the authorities had buried her mother there. The land was not a cemetery. He did not explain why police officers allegedly buried her there, nor gave any proof that he is telling the truth (see below).

Azayeva has asked the General Prosecutor's Office and the Interior Ministry (which controls the Police) for information about whether the authorities buried her mother's body and if so where. She also asked for those she believes are responsible for leading the mobs in the two exhumations to face prosecution.

Officials have failed to give a clear response as to why named alleged perpetrators are not being brought to justice. The authorities say three individuals are going on trial in connection with the case on 22 December, but will neither identify the three nor say what criminal charges they are apparently facing (see below).

Why won't government resolve burial problems?

The government has long failed to ensure that people may exercise their right to bury their dead with the religious ceremonies and in the cemeteries they would wish. Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees have complained about this problem, which causes families and communities great distress. In January 2014 in Jalal-Abad Region, an imam barred the burial of a Protestant woman in the village cemetery, and in another village the imam stopped a Protestant pastor from participating in the funeral of his Muslim brother. In Kyrgyz culture it is extremely important that a brother take a central part in the funeral of a sibling (see F18News 6 June 2014 http://www.forum18.org/archive.php?article_id=1966).

The violence or threats of violence that prevent many burials of members of non-Muslim communities in village cemeteries are part of a wider picture of violence against vulnerable religious communities and impunity for individuals and officials who commit or call for such violence (see F18News 18 February 2016 http://www.forum18.org/archive.php?article_id=2150).

Twice exhumed, body stolen

On 14 October, a mob in her home village of Sary-Talaa in Ala-Buka District of the western Jalal-Abad Region prevented the burial of deceased Protestant Kanygul Satybaldiyeva, a 76-year old member of Jesus Christ Protestant Church. On 14 and 17 October, mobs in the nearby village of Oruktu and then in the central cemetery of Ala-Buka District exhumed her body. They objected to the burial of a non-Muslim in public village cemeteries.

Police and National Security Committee (NSC) secret police officers, as well as local and regional officials, observed the exhumations but did nothing to stop them. They also failed to take action when individuals called on members of Satybaldiyeva's

family to be killed (see F18News 20 October 2016 http://www.forum18.org/archive.php?article_id=2226).

Two complaints, no written responses

Satibaldiyeva's daughter, Zhyldyz Azayeva, complained that the authorities have not responded to her 20 October and 5 November complaints. "I have been waiting for many weeks but have received no written response," she told Forum 18 on 12 December.

In her 20 October complaint to the Interior Ministry and General Prosecutor, Azayeva asked them to investigate the exhumations of her mother's body, she told Forum 18. She also called on them to punish Sary-Talaa village Imam Tynchtyk Orozmatov and Ala-Buka District Imam Shumkar Chinaliyev who "incited the people against us". She also called for punishments for Ala-Buka District officials who "did not protect us or take any action against the mobs" and two National Security Service (NSS) secret police officials, who "calmly filmed us when the mob in our village was threatening to kill us".

In the second complaint, Azayeva asked Ala-Buka District Police of Jalal-Abad Region to inform her where the Police finally took her mother's body. She also told them she wants the body to be buried in the mixed Muslim-Christian cemetery in the centre of Ala-Buka.

Azayeva explained to Forum 18 that after the local and international media publicised the two mob exhumations and police seizure of her mother's body in October, Interior Ministry officials from the capital Bishkek visited Ala-Buka District Police Station where she was invited on 3 November. Ministry officials claimed to her that they had begun investigating the case.

Body buried in remote countryside?

At the 3 November meeting in Ala-Buka, Azayeva insisted to the Interior Ministry officials that the Police must show her where officers took her mother's body. The following day, Officer Talai (she was not given his last name) from the Police 10th Department took her to remote open grassland in Ala-Buka District some 15 kilometres from the nearest human settlement. This was not a cemetery. "All I could see there were sheep and shepherds," she told Forum 18.

Officer Talai pointed to a spot in the open grassland and insisted to Azayeva that her mother Satybaldiyeva was buried there. "I wasn't convinced that my mother was buried there, and I told him this," Azayeva told Forum 18. She said the soil there was soft, with traces of what appeared to be tractor tracks, but no obvious signs of digging.

Officer Talai (he did not give his last name) refused to discuss the case with Forum 18 on 12 December. Asked why Police apparently buried Satybaldiyeva in remote open grassland where sheep were grazing, and whether she will be buried in a cemetery with all dignity, he responded: "We will not tell you anything, and it is useless for you to call us." He then put the phone down.

The following day, 5 November, Azayeva wrote a complaint to Ala-Buka District Police asking for proof of where exactly her mother's body was taken. She also insisted that the body "should be re-buried in the Ala-Buka mixed Muslim-Christian cemetery". She has received neither a written response to this complaint nor any further information about where her mother's body might be.

Neither Imams nor state officials held responsible

At the 3 November meeting at the Ala-Buka District Police, officers showed Azayeva photographs of five men who they claimed might have committed the crimes. "One of them, they said, is from a place in Kyrgyzstan 1,000 kilometres away from our District, and the other four are from Ala-Buka District," she told Forum 18.

However, the officials "did not explain to me why none of the Imams or state officials were held responsible," Azayeva complained.

Why no cases against prime suspects?

Asked by Forum 18 on 15 December why neither the Imams nor the state officials involved in the two exhumations and seizure of Satybaldiyeva's body have been brought to justice, Colonel Ulan Biybosunov, Chief of the Interior Ministry's 10th Department in Bishkek, replied: "It is the Investigators who assess the case." Asked whether the Ministry is not overseeing the investigation, Colonel Biybosunov responded: "Our colleagues will write to you on the results of the case." He did not wish to discuss the case further.

Also asked about the case on 15 December, the General Prosecutor's Office in Bishkek referred Forum 18 to Kylychbek Toktogulov, the General Prosecutor's First Deputy. Toktogulov in his turn did not wish to talk to Forum 18, saying through his Secretary that it should talk to Asylbek Akhmatov, Chief of the International Section.

Asked about the case the same day, Akhmatov asked Forum 18 to call back in half an hour. "I need to see which of our Sections is overseeing the case, and what measure they took," he said. When called back, Akhmatov kept repeating that he had no information. He said Forum 18 should speak to the Interior Ministry and Jalal-abad Regional Prosecutor's Office. He then put the phone down.

Three individuals on trial, but who are they?

Investigators have apparently opened one criminal case, under which three people are said to be due in court later in December. "We received no notification either from the Police or Court on any details of the case," Azayeva complained to Forum 18 on 14 December.

Ala-Buka District Police Investigator Ulan Jylkachiyeu told Forum 18 on 13 December that "I opened a criminal case, and referred it to Jalal-abad Regional Police a month ago." Asked who exactly were being held responsible in the case, he claimed: "I only opened the case and do not have any names." Jylkachiyeu added: "I heard that the case is already in Ala-Buka District Court."

Asked why then Azayeva was shown photographs of the alleged perpetrators in the Ala-Buka Police Station, Jylkachiyeu told Forum 18 that Investigator Stalbek (he did not give the last name) from the Regional Police led the investigation. "Ask him." He declined to put Forum 18 through to Stalbek, and declined to discuss the case further with Forum 18.

Judge Gulmira Kojabekova of Ala-Buka District Court will hear the criminal case against three individuals on 22 December at 3 pm, Nurlan Orozbayev, Chief of the Court Chancellery, told Forum 18 on 14 December. He would not identify the three individuals who will face trial, nor what Criminal Code Article or Articles they are being prosecuted under.

Asked why Satybaldiyeva's family was not notified of the case, Orozbayev paused for a moment before responding: "We received the case only on 9 December, we will soon notify the family."

Orozbayev told Forum 18 that Judge Kojabekova is "not available" to discuss the case. "She is travelling tomorrow to the Supreme Court for some consultations, and will not return until 19 December." Asked whether the consultations had to do with this case, he did not say. (END)

For more background information see Forum 18's Kyrgyzstan religious freedom survey at http://www.forum18.org/archive.php?article_id=2013.

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 compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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