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KYRGYZSTAN: Church arson follows long-standing government failures

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

On 2 January the Baptist Church in the north-eastern town of Kaji-Sai was burnt out in an arson attack. Baptists think this happened because nothing was done to punish the perpetrators of previous threats and attacks. Police claim to be trying to solve the crime, but are also investigating the victims.

On 2 January 2018 the Baptist Church in Kaji-Sai, in Kyrgyzstan's north-eastern Issyk-Kul [Ysyk-Kol] Region was burnt out in an arson attack. Baptists found bottles filled with petrol nearby, and although police claim to be investigating the crime local Baptists do not think this is 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. These include violent threats and attacks, intimidation of people out of their homes and work, and refusals to allow non-Muslim dead to be buried according to their own ceremonies and rites (see below).

After one such incident, police summoned Baptists to meet their attackers in Karakol Police Station. After police officers expressed sympathy for the attackers, police then ordered the Baptists and their attackers "to write statements that they forgave each other and will have peace between themselves in future". The Baptists found the atmosphere of the meeting very intimidating and coercive, and for fear of state reprisals do not wish to name the police officers who were present (see below).

After the arson attack on the Church, police were very interested in investigating not the crime but the Church, and asking why ethnic Kyrgyz Christians did not go to a mosque. Police also suggested to Forum 18 that perhaps one of the Baptists had committed the arson attack (see below).

Police told Forum 18 that they were "doing their best to find the responsible persons". But Baptists told Forum 18 they do not think the police "will punish the perpetrators this time either". The Baptists also said that "we are still restoring and renovating the Church, and we will continue our services despite adversity" (see below).

Threats, meeting stopped

The Baptist Church in Kaji-Sai in the north-eastern Issyk-Kul [Ysyk-Kol] Region started in the 1990s after the collapse of the Soviet Union, and received state registration in 1994. "We have carried our activity peacefully," a local Baptist told Forum 18 on 12 January 2018. "However, from the end of 2010 Christians in some of the villages of the Region [in most of which there are no state-registered churches] began receiving threats."

These threats are part of a wider pattern. From 2007 the state started ordering unregistered communities of Protestant Christians, Hare Krishna devotees, and Ahmadi Muslims in many parts of Kyrgyzstan to stop meeting for worship (see F18News 13 August 2009 http://www.forum18.org/archive.php?article_id=1336). Mobs have also conducted violent attacks, including refusals to allow non-Muslim people to bury their dead in their own way, which the state has either failed to stop or has been complicit in encouraging (see Forum 18's Kyrgyzstan religious freedom survey http://www.forum18.org/archive.php?article_id=2013). These attacks and state complicity in mob attacks on people trying to bury their dead continue, with impunity for officials who violate human rights (see eg. 22 March 2017 http://www.forum18.org/archive.php?article_id=2266).

From late 2010, Christians in villages of Issyk-Kul Region began to be threatened when they asked for grave plots to bury their dead. One such incident took place in Ak-Terek village in Jeti-Oguz District, about 60 kilometres (35 miles) from Kaji-Sai where the Baptist Church was burned on 2 January 2018.

On 16 December 2010 a group of about 10 local Baptists in Ak-Terek were meeting for worship. They are all ethnic Kyrgyz and were all born in the village. "Fifteen people [who were not known to the Baptists] came in three cars to the meeting. They forced the

Baptists to go out of the meeting into the street. They told a Pastor who had come from Kaji-Sai that he corrupted people in Ak-Terek," a local Protestant told Forum 18 on 12 January 2018. The attackers threatened that they will "smash the cars of the believers if they continue meeting for worship in Ak-Terek".

The 15 attackers also threatened people in Ak-Terek that they will not allow those who converted to Christianity to be buried in the local cemetery, and that "converts will have problems".

Forgiveness?

Baptists complained to the police about the attack and threats, and on 22 January 2011 Issyk-Kul Regional Police summoned the Baptists to meet their attackers in Karakol [the regional capital] Police Station. The meeting was organised by Lieutenant Colonel Arsen Samayev, Head of the 10th Division of the Regional Police, which oversees cases involving freedom of religion and belief. Police refused to prosecute the attackers, and two police officers in the meeting stated that "if we did not work for the police we would have attacked you also because we are Muslims". Another police officer told the Baptists in the meeting that "if Ak-Terek village decided to evict Baptists, police cannot stop this as there are only 70 police in the District".

Police then ordered the Baptists and their attackers "to write statements that they forgave each other and will have peace between themselves in future". The Baptists found the atmosphere of the meeting very intimidating and coercive, and for fear of state reprisals do not wish to name the police officers who were present.

More threats, this time from local council

On 31 January 2011 local Baptists asked Ak-Terek Kenesh [council] to allocate them a plot of land for burials. They hoped that this would help avoid conflicts over burials. The Kenesh organised a public meeting to decide on the request on 22 February. About 200 people from the area attended, including the police, several village imams, and the Head Imam of Jeti-Oguz District.

All imams are appointed by the government, which has increasingly sought to control the public expression of Islam (see Forum 18's Kyrgyzstan religious freedom survey http://www.forum18.org/archive.php?article_id=2013).

Baptists told Forum 18 that the imams "were very active in the discussions and changed the alleged topic of the meeting to 'how to stop the Baptists'". The imams suggested that local people: stop allowing Baptists' children to attend the village school; stop their cattle grazing on village pastures; not allow their dead to be buried in village cemeteries; and not give them a separate plot of land for a cemetery.

The police filmed the meeting, and took no action about this open encouragement to attack the human rights of the Baptists. The Kenesh did not grant the Baptist's request.

While non-Muslims faced increasing difficulties in providing burials for their dead in their own way, in 2009 the government abdicated its responsibilities and increased these difficulties with a small but crucial sentence in a revised Religion Law. A new Article 16, Part 3 stated: "Recognition of regulations of use of confessional cemeteries and regulations of cemetery exactions shall be governed by regulations of local municipalities". With this sentence the government legitimised the power of local imams to control who is buried in state-owned cemeteries not owned by religious communities (see Forum 18's Kyrgyzstan religious freedom survey http://www.forum18.org/archive.php?article_id=2013).

Renounce your faith or leave the village

In spring 2011 villagers demanded that Ak-Terek's Baptists either renounce their faith or leave the village. In May 2011 local police held a meeting with village elders and the Baptists, and demanded that local people stop disturbing the Baptists and that the Baptists gain state registration. This was and remains impossible for the small group of Baptists in Ak-Terek, as 200 founders are needed to gain state registration (see F18News 18 January 2012 http://www.forum18.org/archive.php?article_id=1657).

Afterwards, due to increasing difficulties caused by some people, a teacher working in the village who is a Baptist was forced to "voluntarily" resign from their job. A local Baptist who was working as a blacksmith then found that some people organised a rota of people to openly keep watch outside his forge to intimidate villagers to stop bringing him work. This forced boycott continued until the blacksmith was forced to leave the village because of lack of work. After he was forced out, some people also obstructed his sale of his house.

No action to stop those "who spread hatred"

Despite the open intimidation outside the blacksmith's shop, the police did nothing to stop this. Also, "throughout this time the authorities did not take any measures to punish imams or any locals who spread hatred against our believers", Baptists told Forum 18.

Lieutenant Colonel Samayev organised the January 2011 meeting between Baptists and their attackers, which resulted in the forced "forgiveness". He refused to say why police had not opened prosecution against the Baptist's attackers. "I am not competent to answer you. There is the Ministry of the Interior over me," he claimed.

Lieutenant Colonel Samayev became angry when Forum 18 asked whether the police film of the February 2011 council meeting, where threats were openly made against Baptists, provided enough evidence to start investigations and possible prosecutions. "Who the hell you are you to tell me what to do and what not to do?" he replied. He did not answer questions on why police had not investigated public intimidation of villagers in Ak-Terek, and then put the phone down.

Colonel Ulan Biybosunov, Head of the police 10th Division in the Interior Ministry in the capital Bishkek, claimed to Forum 18 on 24 January that he was not aware of attacks on and threats against Baptists from 2010. Asked whether the Ministry had ever asked police not to investigate and prosecute cases involving attacks against non-Muslims, he replied: "I cannot say anything". Asked whether his 10th Division will investigate the lack of police action, he asked for questions in writing and refused to talk further.

In December 2016 Colonel Biybosunov refused to say why neither the Imams nor the state officials involved in the two forced exhumations and the seizure and hiding of a deceased Protestant's body had been brought to justice (see F18News 15 December 2016 http://www.forum18.org/archive.php?article_id=2239).

Kaji-Sai Church windows broken twice, later roof seriously damaged

In 2013 unknown attackers broke the windows of the Kaji-Sai Baptist Church. The Church did not complain to the authorities about this attack. The next attack was on 26 December 2015, when the building's roof was seriously damaged by rocks and stones being thrown onto it, and all the windows were broken. The damage was so severe that the entire roof had to be replaced.

The Church complained about this attack to Ton District Police, but "they took no action to find the perpetrators and punish them", Baptists complained. The Baptists also received no response from police to their formal written complaint about the attack.

Janibek Asharaliyev, Head of Ton District Police, claimed to Forum 18 on 19 January 2018 that he had not heard of the 2015 attack on the Church. "I hear this for the first time from you. If the Church writes an official complaint, we will respond and investigate this." Asked if the police will investigate the officers who were in charge in 2015, he claimed this would happen if the Church made another "official complaint".

It is unclear why the police claim they need to wait for victims to complain before police will investigate criminal offences they already know about.

Pamir Kutuyev, Head of Kaji-Sai Kenesh [council], maintained that "this type of hooligan attack happens against Muslims or anyone. The authorities are not always able to detect the responsible persons", he claimed to Forum 18 on 19 January. He claimed to have asked the police to investigate, but could not explain why nothing had happened.

Burial sparks arson attack?

Kaji-Sai Baptists suspect that the January 2018 arson attack could have been sparked by the burial of a (non-Baptist) Protestant man from the village of Barskoon in Jeti-Oguz District. Villagers led by the local imam had opposed his burial in Barskoon, so he was buried in the Kaji-Sai cemetery used by Baptists. The authorities in Issyk-Kul Region have taken no action against those who obstructed the burial (see F18News 1 February 2018 http://www.forum18.org/archive.php?article_id=2349).

Insults and threats against female Baptists

A few hours before the on 2 January arson attack on Kaji-Sai Church, three young men approached some older female Baptists who were about to enter the Church's grounds. "It was daylight but the sisters did not recognise the men," Baptists told Forum 18. "They shouted nasty curses at our sisters, and threatened that they will have problems because of attending Church." The men then walked away. On the same night the arson took place.

In patriarchal Kyrgyz society, any insult or attack on women is seen as far more serious than a similar insult or attack on men. Galina Kolodzinskaya, an independent religious expert in Bishkek, told Forum 18 on 19 January that compared to men, women are much less subject to public attacks or insults. "Even in the Kyrgyz-Uzbek interethnic conflict in 2010 in the south of Kyrgyzstan, the assailants spared women. It is a question of honour in our society. However, it is obvious that these women were insulted because they are Baptists."

Captain Mirbek Tabaldiyev, Deputy Head of Ton District Police, told Forum 18 on 18 January that police showed some suspects to the Baptist women, but they did not recognise them. Baptists confirmed this to Forum 18.

Arson attack

On 2 January 2018 unidentified attackers burned out the Kaji-Sai Baptist Church building. Baptists told Forum 18 that "we found some bottles filled with petrol after the fire subsided".

Baptists resumed meeting for worship in the building from 7 January after partial reconstruction. Baptists, who wished to remain unnamed for fear of their safety and state reprisals, told Forum 18 on 18 January that: "we are still restoring and renovating the Church, and we will continue our services despite adversity".

The Baptists told Forum 18 that they think that the arson attack happened because the police and other state authorities have done nothing to catch and punish the perpetrators of previous threats and attacks in Issyk-Kul Region.

Aleksandr Shumilin, a Baptist pastor who chairs the Association of Evangelical Churches, agreed with this assessment. "We suspect that the people who burnt the Kaji-Sai Church were encouraged by the fact no previous attacks against us were punished," he told Forum 18 on 19 January. Pastor Shumilin also thought that this may be related to "the negative attitude in society against ethnic Kyrgyz who convert to the Christian faith".

In 2012 Kaji-Sai Baptists told Forum 18 that they thought gaining state registration (which they have had since 1994) may help minimise attacks (see F18News 18 January 2012 http://www.forum18.org/archive.php?article_id=1657). After the series of incidents culminating in the arson attack, they have told Forum 18 that they no longer think this.

Police investigation – but of what and whom?

Ton District Police head Asharaliyev told Forum 18 that they were treating the case as arson, "because of all the evidence we collected". But when his Deputy Captain Tabaldiyev, who is leading the investigation, with his colleagues questioned Baptists, they spent a lot of time asking for detailed information and lists of all Church members, who finances the Church, and why ethnic Kyrgyz members of the Church do not go to the local Mosque. "Half of the time they asked this kind of question instead of looking for the criminals," Baptists complained.

After an Ahmadi Muslim was murdered in December 2015, Osh Regional Police spokesperson Jenishbek Ashirbayev told Forum 18: "There are two sides of the issue, one is the murder, and the other is the unregistered freedom of religion or belief of the Ahmadis". Asked why the authorities were seeking to punish the Ahmadis instead of investigating the murder, Ashirbayev reiterated that both the murder and the Ahmadi Community's activity were being investigated (see F18News 18 February 2016 http://www.forum18.org/archive.php?article_id=2150).

Captain Tabaldiyev denied to Forum 18 that he and his colleagues had asked ethnic Kyrgyz Christians why they do not go to a mosque. He then claimed that they had asked the other questions because "maybe someone who attended the Church set it on fire". However, to the Baptists he had stated: "You built a Church in the midst of Muslims, and those who don't like your Church burnt it".

Captain Tabaldiyev claimed to Forum 18 that police were "doing their best to find the responsible persons". But Baptists told Forum 18 they do not think the police "will punish the perpetrators this time either".

Colonel Ulan Biybosunov, Head of the 10th Division in the Interior Ministry, refused to say whether a proper investigation of the arson attack is taking place.

Kaji-Sai Kenesh [council] Head Kutuyev told Radio Free Europe on 4 January that "he would warn against jumping to a conclusion that the fire was a hate-motivated act." He claimed that "there are no religious reasons behind" the Church fire and that "there is no religious discord in Kaji-Sai". When Forum 18 asked him why he thinks this, he stated that he has worked as the Head of the Kenesh since 2014 and that "until now we did not have serious arguments between various religions here in Kaji-Sai".

UN human rights treaty body criticism

There has been serious criticism of Kyrgyzstan's human rights record and calls for systemic remedial action by United Nations (UN) treaty bodies. For example, the UN Human Rights Committee in its 2014 Concluding Observations (CCPR/C/KGZ/CO/2) called on Kyrgyzstan to "remove all restrictions incompatible with article 18 ["Freedom of thought, conscience and religion"] of the Covenant [the International Covenant on Civil and Political Rights]", as well as to "take measures, including through public statements and awareness-raising campaigns, to promote religious tolerance and condemn any act of religious intolerance and hatred. The State party should also investigate all cases of violence based on religion, prosecute perpetrators and compensate victims" (see http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/KGZ/CO/2&Lang=En).

Similarly, the UN Committee on the Elimination of Racial Discrimination in its 2013 Concluding observations (CERD/C/KGZ/CO/5-7) recommended that Kyrgyzstan "strongly condemn the discriminatory statements and hate speech by politicians and media. The Committee particularly recommends that the State party take appropriate measures to investigate, prosecute and punish such acts and take appropriate measures to prevent them" (see

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/KGZ/CO/5-7&Lang=En).

The UN Subcommittee on Prevention of Torture (SPT) carried out its first regular visit to Kyrgyzstan from 19 to 28 September 2012. Its report (CAT/OP/KGZ/1) found that "torture and ill-treatment is prevalent in the country", caused by among other factors "the impunity and general lack of accountability of officials" (see http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fOP%2fKGZ%2f1&Lang=en). For example, the authorities have refused to bring to justice officials who tortured Jehovah's Witnesses in Osh in August 2015 (see F18News 3 March 2016 http://www.forum18.org/archive.php?article_id=2155).

There is no apparent evidence that the government has any serious intent of acting upon these UN treaty body recommendations, or the binding international human rights law obligations they stem from. For instance, out of around 70 people in mobs incited by officials who twice exhumed a deceased Protestant's body, only four were in February 2017 given suspended sentences. None were given the jail sentences of between three and five years Kyrgyzstan's domestic law requires. None of the responsible officials were prosecuted (see F18News 22 March 2017 http://www.forum18.org/archive.php?article_id=2266). (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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