

# **KYRGYZSTAN: “Registration only gives you permission to exist”**

*Kyrgyzstan has registered over 60 communities, most of them Protestant, since December 2018. But some Jehovah’s Witness communities still cannot get state permission to exist, while Ahmadi Muslims remain banned. Amid physical attacks on and burial denials to non-Muslims, “giving registration does not guarantee that people can exercise their freedom of religion and belief”.*

By Mushfig Bayram

Forum 18 (05.07.2019) – <https://bit.ly/2NIM6Vg> – In an apparent change of policy, Kyrgyzstan has given many religious communities state registration and therefore permission to exist in recent months. These communities include various Christian churches, Baha’i communities, the Falun Gong Chinese spiritual movement, and some but not all Jehovah’s Witness communities. However, Ahmadi Muslims are still banned.

However, state registration does not remove many obstacles to exercising freedom of religion and belief. Members of a variety of communities throughout the country, all of whom wished to remain anonymous for fear of state reprisals, pointed out to Forum 18 that among the problems they face “communities cannot have public meetings outside their registered addresses unless they receive prior permission for each event from the authorities, and our experience is that the authorities do not normally give permission”, and “the authorities have punished people for sharing their beliefs in

public places with adults”.

“So practically speaking, registration only gives you permission to exist,” one person commented. “Registration does not give you the freedoms one should expect” (see below).

Many leaders of registered communities declined to discuss registration and other problems relating to freedom of religion and belief, for fear of state reprisals (see below).

One Protestant thought that the authorities’ change of approach may be due to a combination of: a change in staff at the State Commission for Religious Affairs (SCRA) and official awareness that physical attacks on religious communities and individuals “is not good for the international image of Kyrgyzstan” (see below).

In January-February 2020 the United Nations Human Rights Council will hold its Universal Periodic Review (UPR) of Kyrgyzstan.

“The authorities are playing a game,” a Kyrgyz human rights defender, who wished to remain unnamed for fear of state reprisals, told Forum 18 on 25 June. “They kill two birds with one stone,” showing the international community that there is democracy and silencing religious communities, “as many of them have been vocal critics of the authorities’ policies in the past” (see below).

“There is an atmosphere of fear in the country,” the human rights defender commented. “The fact that I am afraid to give you my name, and that leaders of registered communities would not discuss registration and other problems relating to freedom of religion and belief, demonstrates this.”

The human rights defender also pointed to the authorities’ failure to resolve the problems of burials and attacks on people exercising their freedom of religion and belief, including by failure to punish perpetrators.”In this context giving registration does not guarantee that people can exercise their freedom of religion and belief” (see below).

A Protestant leader, who asked not to be named for fear of state reprisals, had separately come to the same conclusion as the human rights defender. The Protestant believes that by failing to punish perpetrators of violent physical attacks and of burial problems the authorities “send a message that they quietly agree with attacks and do not want people to exercise their freedom of religion and belief ” (see below).

In the most recent such case, when a Protestant Eldos Sattar uuly was attacked 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 (see below).

One Protestant said that the widespread condemnation of the attacks on Sattar uuly and members of his church on social media may have influenced the residents of Tamchi to stop

attacks (see below).

***“Registration only gives you permission to exist”***

Kyrgyzstan has given many religious communities state registration and therefore permission to exist. The State Commission for Religious Affairs (SCRA) registered over 60 Christian churches and organisations, most of them Protestant, between the end of 2018 and June 2019, a Protestant leader who wished to remain unnamed for fear of state reprisals told Forum 18 on 24 June.

Fr Viktor Reymgen of the Russian Orthodox Church and Fr Remigiusz Kalski of the Catholic Church told Forum 18 on 12 June that all of their Churches have been registered. Farangiz Zeynalova, Chair of the Baha’i Community, told Forum 18 on 18 June that all of their 12 communities have been registered as independent communities.

The Chui-Bishkek Justice Department in the capital Bishkek registered a public association of the Falun Gong Chinese spiritual movement on 26 January 2018, according to Falun Gong sources. The Justice Department refused to confirm or deny this to Forum 18 on 5 July 2019.

A Falun Gong association was registered in July 2004, but – under Chinese pressure – was liquidated by Bishkek’s Lenin District Court in February 2005.

The Jehovah's Witnesses Community in Osh was given registration in early 2019 after 10 years of attempting to gain registration. In the course of their attempts, two Jehovah's Witnesses, Nadezhda Sergienko and her daughter Oksana Koryakina, were placed under house arrest for many months after their March 2013 arrest for alleged swindling but in reality apparently because of the Osh community's attempts to gain registration. Judge Sheraly Kamchibekov acquitted the two women of all charges, telling Forum 18 in November 2014 that "it was a fabricated case". After a long legal battle the case was closed in 2016, but hearings in the prosecutions attempt to reopen the case continued into 2017.

However, in 2019 the Osh community was registered not as an independent community but as a branch of their community in the capital Bishkek, Jehovah's Witnesses told Forum 18 on 26 June. "But it was a positive development that we finally received registration."

However, the Jehovah's Witness communities in Naryn, Jalal-Abad, and Batken regions still do not have registration. "This creates certain problems from time to time, and local officials warn us that we cannot conduct exercise our freedom of religion and belief in public."

Jehovah's Witnesses have lodged three complaints with the United Nations (UN) Human Rights Committee over the registration denials: on 7 September 2012 against the authorities in Osh, Naryn and Jalal-Abad Regions; on 26 March 2013 against the authorities in Batken Region; and on 27 January 2017 against the SCRA over refusal to register four communities in Osh, Batken, Naryn and Jalal-Abad.

Kanybek Niyazbayev, head of the SCRA section responsible for religious organisation registration, claimed to Forum 18 on 3 July that “we will register them [these three communities]. A couple of days ago we had a meeting with and asked them to prepare their documents. If all their documents are in order we will register them.”

### ***Ahmadi Muslims still banned***

Ahmadi Muslims have been banned as “extremist” and have not met together for worship since July 2011. All other Muslim communities are state-controlled via the Muslim Board.

“We consulted with our world leaders and local leaders, and decided that we should not be publicly active for the time being and not meet for worship as a community,” an Ahmadi Muslim, who wished to remain anonymous for fear of state reprisals, told Forum 18 in mid-June 2019.

In December 2015 Ahmadi Muslim Yunusjan Abdujalilov was murdered. A human rights defender who wished to remain unnamed for fear of state reprisals told Forum 18 at the time that “the authorities turn a blind eye to hate speeches on TV, other mass media, and mosques about Ahmadi Muslims and other vulnerable religious groups”.

The human rights defender also noted that, in addition to attacks by Muslim Board imams, the Ahmadis were refused state

registration. "All of this created a tense situation and hatred against the Ahmadis."

Police told Forum 18 that "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 are seeking to punish the Ahmadis instead of investigating the murder, police stated that both the murder and the Ahmadi Community's activity are being investigated.

The Ahmadi declined to discuss the authorities' investigation of the murder. But they told Forum 18 that "I heard that former Chief Mufti Chubak azhy Zhalilov [who resigned in July 2012 amid corruption allegations] was warned by the authorities not to give hate speeches, and I have not heard him making public hate speeches recently." The Ahmadi added: "If we see goodwill towards us from the authorities, of course we would love to register again and meet for public worship. At the moment we only pray individually in our private homes."

***"Registration only gives you permission to exist"***

However, state registration does not remove many obstacles to exercising freedom of religion and belief. Members of a variety of communities throughout the country, all of whom wished to remain anonymous for fear of state reprisals, pointed out to Forum 18 on 3 July that "communities cannot have public meetings outside their registered addresses unless they receive prior permission for each event from the authorities, and our experience is that the authorities do not normally give permission".

“Religious literature can be imported only after passing compulsory state censorship,” one person told Forum 18, “and the authorities also demand that they censor and give permission for any text we want to give out in open public places. This is a significant obstacle to sharing one’s beliefs.”

Others commented: “The authorities have punished people for sharing their beliefs in public places with adults, and young people under 18 cannot even share their beliefs with others in their schools.”

“So practically speaking, registration only gives you permission to exist”, one person commented. “Registration does not give you the freedoms one should expect.”

## ***Obstacles***

In the years after the 2009 Religion Law came into force, one Jewish Community, up to four Russian Orthodox communities, and about 141 Islamic organisations including mosques, madrassahs, and foundations under the state-controlled Muslim Board, were registered. But no Catholic, Protestant, Jehovah’s Witness or Ahmadi Muslim communities were given registration. The Caritas charity organisation, which aims to reflect the values of the Catholic Church, was registered and does not undertake any overtly religious activities.



One of the obstacles is that the Religion Law demands that religious communities must have at least 200 adult permanent resident citizens as founders, who must give their full details to local keneshes [councils] who decide whether to approve them as founders.

Many religious communities of a variety of faiths have pointed out that people are afraid to identify themselves to the authorities as founders, and that many smaller communities do not have 200 founders and so have no possibility of legally existing.

Many keneshes have claimed that they cannot notarise lists of founders because the SCRA did not issued Regulations to implement the Law – but this did not stopped some keneshes from notarising the founders' lists of state-controlled Muslim organisations and Russian Orthodox churches. This claim enabled the SCRA and keneshes to both keep evading responsibility for granting registration applications.

However, in September 2014, the Constitutional Chamber of the Supreme Court ruled in a case brought by Jehovah's Witnesses that a religious organisation is not limited to carrying out its activity only in the place where it has its legal address, and that it is unconstitutional for local keneshes to approve the list of 200 founding members of a religious organisation required for a legal status application. Yet the SCRA and other state authorities refused to implement the ruling.

***Why did the authorities change their attitude?***

The SCRA appears to have changed its approach to registration in 2018.

“It was not difficult to receive registration as none of the communities had to gain approval of their lists of founders from local keneshes [municipalities], as was demanded in the past,” a Protestant leader who wished to remain unnamed for fear of state reprisals told Forum 18 on 24 June. “The SCRA told communities that this is because the Constitutional Chamber in 2014 denied that such approval is necessary.”

The Protestant leader added that “SCRA officials also stated that the 200 founders needed can be anyone sympathising with our community, and do not all need to be members. That is why so many communities were able to register.”

Other leaders of registered communities declined to discuss registration and other problems relating to freedom of religion and belief, for fear of state reprisals.

“The Law on the Constitutional Chamber states that Chamber decisions enter into force from the day of their adoption,” Kanybek Niyazbayev of the SCRA section responsible for religious organisation registration, told Forum 18. “I do not think it was right that officials after the 2014 decision refused registration to some communities, in my personal opinion.” He added that “I did not work for the SCRA then, and neither did SCRA Chair Zayirbek Ergeshov”.

Asked about religious communities which were refused

registration and now want it, Niyazbayev replied: "If there are any such communities let them ask us and we will help them get registration."

One Protestant thought that the authorities' change of approach may be due to a combination of: a change in SCRA staff; and "that the authorities understand that Christian organisations are peaceful, and that they need at least to help us with the registration in the face of other problems like physical attacks and burial problems in villages. This is not good for the international image of Kyrgyzstan."

In January-February 2020 the United Nations Human Rights Council will hold its Universal Periodic Review (UPR) of Kyrgyzstan.

Shamil Dyushenbayev, of the Zhogorku Kenesh's (parliament) Social Affairs, Education, Science, Culture and Health Committee's staff, told Forum 18 on 3 July that Parliament "will in September begin considering changes to the Religion Law, and we will eliminate the requirement demanding approval of founders' names by local keneshes." The Committee oversees freedom of religion and belief issues.

"On 24 June our Committee met SCRA officials and representatives of religious communities," Dyushenbayev added, though he would not name the religious communities, "and decided that this needs to be eliminated in the light of the Constitutional Chamber decision."

## ***“The authorities are playing a game”***

Another Protestant, who also wished to remain unnamed for fear of state reprisals, commented that “registration does not mean that all of our problems were solved”. They told Forum 18 on 24 June that “although there have been no attacks since February, and no new burial problems, as no-one from our community has recently died, there is no guarantee that attacks and burial problems will not reoccur in future.”

A human rights defender, who wished to remain unnamed for fear of state reprisals, told Forum 18 on 25 June that “the authorities are playing a game. They kill two birds with one stone, and show the international community that there is democracy. By giving registration they want to silence these communities, as many of them have been vocal critics of the authorities’ policies in the past.”

“There is an atmosphere of fear in the country,” the human rights defender commented. “The fact that I am afraid to give you my name, and that leaders of registered communities would not discuss registration and other problems relating to freedom of religion and belief, demonstrate this.”

“The authorities have not yet taken serious steps to resolve the problems of burials and attacks on people exercising their freedom of religion and belief,” the human rights defender said. “They did not imprison those who have attacked Protestants, Jehovah’s Witnesses, and others or who have committed arson against their community buildings.”

The human rights defender also pointed to the investigation of the attack on Eldos Sattar uuly, a Protestant who was severely beaten up and left in need of immediate surgery. "Police dropped the criminal case. Eldos has had to leave the country after death threats by his attackers, and his relatives under pressure from the police and the attackers' families withdrew their complaints." (Also see below.)

The human rights defender pointed out that "the authorities have sufficient evidence of all these crimes and must imprison these attackers, but they will not. If they imprisoned people who commit such crimes this could seriously discourage others in future from committing such crimes."

In January 2018 the registered Baptist Church in the north-eastern town of Kaji-Sai was burnt down. Baptists think this happened because nothing was done to punish the perpetrators of previous threats and attacks. Police claimed to be trying to solve the crime, but also investigated the victims.

"There have been no new attacks or threats against our members and no new threats that our Church building will be set on fire again," a Baptist from the Church told Forum 18 on 4 July 2019. "We can carry out our activities without any problems." They added that "of course, the relatives of Kyrgyz converts at times put them to shame for becoming Christians, but lately it has not gone further than that". Although the authorities had told the people responsible for the arson attack to pay financial compensation, "they still have not paid any compensation", the Baptist added.

“By not punishing the perpetrators, the authorities encourage attacks against non-Muslims,” the human rights defender told Forum 18. “I think this is done to make people afraid to share or make public their beliefs, particularly in the regions. In this context giving registration does not guarantee that people can exercise their freedom of religion and belief.”

A Protestant leader, who asked not to be named for fear of state reprisals, had separately come 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, 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.”

The human rights defender told Forum 18 that “the authorities must also be proactive in creating an atmosphere of good-will towards members of non-Muslim communities”.

The Protestant leader also echoed the human rights defender. “The authorities must publicly in all kinds of media and social media condemn violent attacks against Christians and followers of other beliefs. They should have meetings with the public and the local authorities across the country to strongly affirm the equality of Muslims and all other religious communities and mutual respect, and about freedom of religion and belief for all.”

## ***“We do not have such divisions”***

Niyazbayev of the SCRA claimed to Forum 18 that “we hold educative talks with the local population in the regions.” Asked to give a concrete recent example he could not. “I need to think about that. I cannot say right now when we did this.”

Asked about publicly condemning violent attacks in the media and social media and promoting freedom of religion and belief for all, Niyazbayev responded: “We can think about it.” He then claimed that “we had in Bishkek a ‘subbotnik’ [volunteer neighbourhood rubbish clean-up on Saturday] with participation of various religious communities.”

“We do not impede them from advertising themselves, all religions and religious communities are equal in Kyrgyzstan,” Dyushenbayev of the staff of Parliament’s Social Affairs, Education, Science, Culture and Health Committee replied when asked about taking proactive steps against violence and for freedom of religion and belief for all.

When Forum 18 pointed out the many known cases when both local individuals and the authorities have initiated and been complicit in violence, Dyushenbayev claimed: “You are deliberately dividing Kyrgyzstan into Muslim and non-Muslim people. We do not have such divisions. If you have any complaints against the state authorities, please write to us and we will investigate the cases.”

## ***Sattar uuly case***

Akylbek Sydykov, Chair of Issyk-Kul Court, told Forum 18 on 4 July that Judge Toktogul Jumayev terminated the criminal case about the attack on Sattar uuly on 15 May “because the two sides came to an amicable solution between themselves. The Court can terminate prosecutions in such cases.”

Court Chair Sydykov denied the evidence that Sattar uuly was attacked and left in need of surgery because of his faith. “That is not true. The charges against the perpetrators were for hooliganism. It was not because of Sattar uuly’s religion.” Sydykov then claimed before ending the call: “This is not a phone conversation. Please come and visit us and we will talk.”

Kanat Aydayeev, Issyk Kul Regional Police Chief, on 3 July told Forum 18 that “we finished our investigation and referred the case to Issyk-Kul District Court.” Asked why the case was dismissed, he claimed: “We did our job and what the Court decides does not concern us.” Asked why the Police or other authorities did not object to the Court’s decision when much evidence exists of the attack against Sattar uuly, he replied: “Please talk to the Court.”

A Protestant, who knows Sattar uuly and members of his church in Tamchi, and who asked not to be named for fear of state reprisals, told Forum 18 on 27 June: “There have been no new attacks on Christians or their families or friends in recent months.”

In one of the attacks that continued on Christians and others



into 2019, 10 people violently attacked a Muslim friend of the family in Tamchi “because they are a good friend of Sattar uuly’s family and refused to stop being friends with them”.

Asked why there have been no further attacks, the Protestant commented: “The authorities did not punish the attackers of Eldos or the other attackers in the village. But the issue was widely discussed in social media and the attacks were widely condemned by society, including many who identified themselves as Muslims. Many said that the attackers should be seriously punished.”

The Protestant added: “People are very active in social media and pay attention to what is being expressed there. This is what I think may have influenced the residents of Tamchi.”

Zhanara Askar kyzy, Sattar uuly’s defence lawyer, told Forum 18 that “the authorities dropped the criminal case against Eldos Sattar uuly’s attackers 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”. She said that also Sattar uuly’s relatives also wrote to the authorities that they have no complaints against Sattar uuly’s attackers.

During a formal police questioning of witnesses to the case – held in a police station in the capital Bishkek because of fears for Sattar uuly’s safety – Sattar uuly and Askar kyzy were both verbally attacked by the attackers’ lawyer and police investigator, Askar kyzy was physically violently attacked resulting in her needing two days’ hospitalisation,

and she was threatened again with criminal prosecution. Police also stopped Askar kyzy being taken to hospital by ambulance.

Sattar uuly's family were put under pressure by the attackers' families, and during the formal police questioning the attackers' lawyer former police chief Bakyt Abirov also threatened Sattar uuly that "if any of the three attackers get arrested Sattar uuly and his family will be in real trouble with the villagers".

Asked what the SCRA does in cases of violent physical attacks, Niyazbayev claimed that "we demand that law-enforcement agencies investigate the cases and punish the violators." However, he could not say what the SCRA did in the Sattar uuly case. "I do not remember what exactly we did at the moment," he claimed.

Dyushenbayev of the staff of Parliament's Social Affairs, Education, Science, Culture and Health Committee, evaded the question of why the case was terminated and tried to blame the victim. "Why do not Sattar uuly or his relatives write to higher organs, to us the Parliament, to the Prime Minister?"

When Forum 18 outlined the details of the attacks and threats, Dyushenbayev replied: "Please send us the evidence you have and we will demand that law-enforcement agencies initiate criminal proceedings".

Subsequent calls to Dyushenbayev's phone were not answered.

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# KYRGYZSTAN: Church of Muslim converts told to close

World Watch Monitor (04.07.2018) – <https://bit.ly/2KJkUD0> – A church in Kyrgyzstan that is home to many former Muslims has been ordered to cease its Sunday worship.

A local source told World Watch Monitor that services at the church, which is led by a convert from Islam, have been interrupted twice in the last few months by a group of people consisting of local officials, representatives of the Prosecutor's office and the Ministry of Internal Affairs, assistants to the local imam and former colleagues from the school at which the pastor used to teach.

World Watch Monitor cannot name the town in which the incident took place, for security reasons.

On both occasions, members of the group demanded that the service be stopped and told them: "You will not be able to live and carry out your ministry here." The church members tried to settle the conflict, World Watch Monitor was told, but the group continued to issue threats and insults.

The church members then started filming them with their mobile phones, after which the group left the building hiding their faces but saying to the congregation: "We will come here again

and again to disturb and persecute you in every possible way," the source said.

The church has for more than a decade been led by Pastor Miran\*. The leadership of the school where he worked threatened to fire him after they learned of his conversion and his role as a church leader. He was also accused of child abuse by the school and jailed for six months. The source said that no lawyer would defend him at his trial because they were afraid of falling foul of the security services, no witnesses were present in court, and the charge against him was not proven. The source said the church felt the allegation was only levelled against him because of his conversion.

Since his release, Pastor Miran, a father of five, has been unable to find paid work. According to the World Watch Monitor's source, local Muslims say of him: "If Miran could betray his 'native pure Islam', maybe he could do other bad things too."

Details about cases such as Pastor Miran's remain vague due to the sensitive security situation facing those involved and the potential for repercussions against them.

### ***Background***

The vast majority of Kyrgyzstan's estimated 300,000 Christians belong to the Russian Orthodox Church and there is a small but growing number of Christian converts from a Muslim background. Converts face pressure from family, friends and the wider community. The Kyrgyz constitution officially guarantees

freedom of religion, but proposed new laws impose stringent registration rules, and all religious literature must be approved.

Kyrgyzstan dropped off the Open Doors World Watch List of the 50 countries in which it is most difficult to live as a Christian for the first time in five years in 2015. This was said to be due to an increase in problems in other countries, rather than improvements in religious freedom.

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## **Kyrgyzstan faces increasing religious diversity: Its responses raise concerns**

By Willy Fautré, director of Human Rights Without Frontiers (Brussels)[i]

- **Religious Statistics: 1991 – 2016**
- **Religious Statistics: 2016**
- **Restrictions to Freedom of Association**
- **A Questionable Concept Paper on State Policy in the Sphere of Religion of the Kyrgyz Republic**
- **Some comments of the OSCE/ODIHR on the Concept Paper: Religious or Belief Communities New to the Kyrgyz Republic**
- **Jehovah's Witnesses, a Case Study**
- **Conclusions**

HRWF (27.03.2018) – After the collapse of the Soviet Union and its fragmentation into a series of independent states, missionary movements of Christian and Islamic origin swept across the newly emerging states to respond to the spiritual needs of peoples who had been force-fed with atheism for decades. The honeymoon for freedom of religion or belief in Central Asia lasted for a few years and then started to fade away. Kyrgyzstan was no exception to this phenomenon.

## **Religious Statistics: 1991 – 2016 [ii]**

In 1991, there were 39 mosques (about one thousand functioned without an official status) and 25 churches and parishes of the Russian Orthodox Church. Islam was then represented by the Spiritual Administration of the Muslims of Kyrgyzstan (Muftiate), uniting over 1725 religious entities, including seven regional kazyats (units), the kazyats in the cities of Osh and Bishkek, one university six institutes, 45 madrassas

and Koran classes, three missions of foreign communities, 26 centers and associations, and 1619 mosques.

According to the Concept Paper on State Policy in the Sphere of Religion of the Kyrgyz Republic dated 6 May 2006, the Christian religious communities were represented by up to 343 entities, 46 churches and parishes of the Russian Orthodox Church, including one nunnery, one Orthodox parish school, two Orthodox religious organizations (Old Believers Churches), three Catholic communities, 292 Protestant organizations (including 48 Baptist, 20 Lutheran, 45 Pentecostal, 30 Adventist, 18 Presbyterian, 16 Charismatic, 41 Jehovah's Witnesses, 22 non-denominational Protestant organizations, and 21 new religious movements (including 12 Baha'i communities). There were also 21 missions of foreign churches, 13 educational institutions, seven centres, funds and associations, one Jewish community and one Buddhist community. Since 1996, more than 1137 registered/re-registered foreign citizens arrived to the Republic from 54 countries, including the CIS, to carry out religious activity in the country.

### **Religious Statistics: 2016 [iii]**

As of the end of 2016, the registered religious groups and organizations reported by the authorities included 2,743 mosques, 10 Islamic higher educational institutions, 89 madrassas, 74 Muslim foundations, centers and unions, 380 Christian organizations and unions, 51 Russian Orthodox churches; four Catholic communities, 50 Baptist communities, 31 Seventh-day Adventist churches, 56 Pentecost communities, 20 Lutheran communities, 38 Presbyterian communities, 43

Charismatic communities, 26 foreign Protestant organizations, 18 non-denominational Protestant organizations, one Jewish community, one Buddhist community, and 12 Baha'i Faith communities.

The total population of Kyrgyzstan is currently estimated at about 5.7 million. According to Kyrgyz Government estimates, approximately 85 % of the population is Muslim. Almost all are Sunnis. Shias make up less than 1 %. There are also about 1000 Ahmadis. Russian Orthodox Christians represent about 5 % of the population. Other Christians are Roman Catholics, Baptists, Lutherans, Pentecostals, Presbyterians and Seventh-day Adventists. Jehovah's Witnesses number about 6000. There are also Jews, Buddhists, and Baha'is.

### **Restrictions to Freedom of Association**

The Law on Freedom of Conscience and Religious Organizations in the Republic of Kyrgyzstan (2008)[iv] requires all religious groups to register with the State Committee on Religious Affairs (SCRA), which is responsible for overseeing implementation. The law prohibits activity by unregistered religious groups. Each congregation of a religious group must register separately and must have at least 200 founding resident citizens. Foreign religious organizations are required to renew their registration with the SCRA annually.

The SCRA is legally authorized to deny the registration of a religious group if it does not comply with the law or is considered a threat to national security, social stability,



interethnic and interdenominational harmony, public order, health, or morality. Unregistered religious groups are prohibited from actions such as renting space and holding religious services. Violations may result in an administrative fine of 500 soms (\$7).

After the SCRA has approved a religious group's registration, the group must register with the Ministry of Justice (MOJ) to obtain status as a legal entity so it may own property, open bank accounts, and otherwise engage in contractual activities. The organization must submit an application to the MOJ, which includes a group charter with an administrative structure and a list of board and founding members.

Some unregistered groups assert that the SCRA purposefully creates artificial difficulties to deny them registration.

Although the Government does not list the Ahmadiyya Community as a banned organization, the SCRA continues to deny it re-registration. The Ahmadiyya community initially registered in 2002, but the SCRA has declined to renew its re-registration since 2012.

Religious groups continue to report that the SCRA registration process is cumbersome, taking anywhere from a month to several years to complete. Unregistered groups continued to report they were able to hold regular religious services without government interference, especially if they had been registered in the past and their annual application for re-registration was pending. Most Muslim groups which have never been registered exercise their freedom of assembly and worship

unhindered.

The Government has banned about 20 “religiously oriented” groups they considered to be extremist and arrested hundreds of people they accused of participating in “extremist” incidents: al-Qaida, the Taliban, the Islamic Movement of Eastern Turkistan, the Kurdish Peoples’ Congress, the Organization for the Release of Eastern Turkistan, Hizb ut-Tahrir (HT), the Union of Islamic Jihad, the Islamic Party of Turkistan, the Family Federation for World Peace and Unification (Unification Church; Moon San Men Church), Takfir Jihadist, Jaysh al-Mahdi, Jund al-Khilafah, Ansarullah, At-Takfir Val Hidjra, Akromiya, ISIS, Djabhat An Nusra, Katibat al-Imam al-Buhari, Jannat Oshiqdari, and the Jamaat al-Tawhid wal-Jihad. Authorities also continued the ban on all materials or activities connected to A.A. Tihomirov aka Said Buryatsky.

Most of these organizations were Islamist homegrown or international groups using or advocating violence but the Family Federation for World Peace and Unification (Unification Church; Mun San Men Church) is a peaceful movement created by late Reverend Moon from South Korea.

In October 2008, the Venice Commission of the Council of Europe and the OSCE/ODIHR[v] made the following comment with regard to the Law on Freedom of Conscience and Religious Organizations in the Republic of Kyrgyzstan (2008):

1. c) a ban on all operation and activity without registration is disproportionate and is clearly an unnecessarily broad limitation of freedom of religion or

belief, as states may not make acquisition of legal entity status a condition for individuals or groups engaging in religious activity;

1. d) the requirements set forth for registration of religious organizations and associations are not spelled out clearly, leaving considerable confusion;

1. e) the Draft Law fails to provide for the reasons which may lead to refusal of registration of a religious organizations and associations, for the requirement that the grounds for refusal be spelled out in detail and in writing and for the explicit possibility to appeal against refusal in court;

1. f) the Draft Law does not appear to allow religious groups flexibility to organize in accordance with their own doctrines and traditions;

1. g) minimum membership and duration requirements are impermissible for acquiring legal entity status;

1. h) the Draft Law appear to impose undue limitations on access to legal entity status;

On 6 May 2006, the Government of the Kyrgyz Republic issued Decree 324 entitled “Concept of State Policy in the Sphere of Religion.”

On 7 February 2014, the President of the Kyrgyz Republic signed the Decree “On the implementation of decisions of the Council of Defense of the Kyrgyz Republic on the state policy in the sphere of religion.” This Decree called for, amongst other actions, a review of the 6 May 2006 Decree.

On 19 March 2014, the Head of the OSCE Centre in Bishkek sent a letter to the OSCE/ODIHR Director requesting an OSCE legal review of the Concept Paper on State.

On 20 March 2014, the OSCE/ODIHR Director responded to this letter, confirming the OSCE/ODIHR’s readiness to prepare a legal review of the Concept Paper’s compliance with OSCE commitments and international human rights standards.

These Comments were prepared in response to the letter of 19 March 2014. They are based on contributions from members of Advisory Panel of Experts on Freedom of Religion or Belief and have benefited from consultations with the Secretariat of the European Commission for Democracy through Law of the Council of Europe (Venice Commission).

**Some comments of the OSCE/ODIHR on the Concept Paper:**

## **Religious or Belief Communities New to the Kyrgyz Republic[vii]**

In its key recommendations, the OSCE/ODIHR urged Kyrgyzstan to remove from the Concept Paper all generalized references to religious or belief communities which are new to the country:

29. The Concept Paper makes a number of claims about religious or belief communities new to the Kyrgyz Republic. It argues that such communities are “taking advantage of temporary socio-economic difficulties in order to win more followers” (‘Analysis of the Religious Situation’). The Concept Paper goes on to claim that “under the guise of different foundations and public organizations, they have founded illegal religious missionary centers” and that using “big foreign finances”, they “conduct religious propaganda to communicate reactionary and occult doctrines to the youth in regions of the country.” It cites an analysis of literature disseminated by new religious movements as showing that “uncontrolled activities of these groups that are utterly expansionist by their character, cause irreparable harm to human health, violate fundamental human rights, endanger the family, the society and the State (Section VII). Section I also refers to the “spread and penetration of destructive groups and doctrines, harming health, morals, rights and legal interests of citizens.”

30. The Kyrgyz Republic is a State which recognizes the freedom of religion or belief both in its Constitution and in its international obligations. This means that all those within Kyrgyz jurisdiction (not only Kyrgyz

citizens) are free not only to believe what they wish, but also to attempt to convince others of their beliefs through peaceful means[viii]. This includes new emerging religious movements or religions which may be new to the Kyrgyz Republic.

31. As the UN Special Rapporteur on Freedom of Religion or Belief has pointed out, it is not acceptable to identify harmful practices with particular communities or types of communities[ix]. Allegations of harmful practices must always be based on clear empirical evidence and should not be presented as mere conjectures or negative projections, which often turn out to reflect existing stereotypes and prejudices[x]. More generally, the mere fact that religions are newly established should not be a cause to discriminate them[xi].

The references of the Concept Paper to claims of “irreparable harm to human health” and “endangering the family, society and the State” promote a negative and stereotypical view of new religious communities as harmful influences on society. Even where harmful practices do occur, they should not be attributed in a generalized manner to religions as such, but rather to certain individuals who engage in them.

32. In addition, as the European Court of Human Rights has noted, the neutrality requirement “excludes assessment by the State of the legitimacy of religious beliefs or the ways in which those beliefs are expressed[xii].” This precludes the qualification by a State organ of the beliefs of new religious movements, or any other religion as “inadequate ideas and views.”

33. Section I of the Concept Paper also calls for improvements in regulation. It is pointed out here that although improvements in regulation are generally welcome, regulation should not be the norm, but the exception when it comes to religious associations, including those following religions new to the Kyrgyz Republic[xiii]. Regulation should only be contemplated where necessary and proportionate to an enumerated aim in an international human rights instrument[xiv].
34. It is therefore recommended to remove all generalized negative references to religious or belief communities which are new to the Kyrgyz Republic from the opening Section, Section I and Section VII of the Concept Paper, and to make explicit reference to the need to ensure that the regulation of religious associations remains the exception, not the rule, and that any restrictions to freedom of religion or belief needs to be prescribed by law, necessary and proportionate to a legitimate aim.

### **Jehovah's Witnesses, a Case Study[xv]**

Despite the Comments of the OSCE/ ODIHR four years ago, religious of belief communities that are new to the Kyrgyz Republic have suffered severe state restrictions to their right to religious freedom.

Jehovah's Witnesses have national registration in Kyrgyzstan.

Generally, they can meet for worship and share their beliefs without serious interference. No member of their movement has recently been put in prison or been fined for his/her activities.

### ***Registration***

As of 1 January 2018, the Witnesses had registered 41 congregations but they have been denied registration in the Southern regions of the country due to some local opposition. The United Nations Human Rights Committee (CCPR) is currently reviewing three complaints against authorities for refusing to register Local Religious Organizations (LROs). Although not legally required, registration of LROs may help to lessen interference with religious activity by local authorities.

On 27 January 2017, Jehovah's Witnesses submitted a complaint to the CCPR regarding the refusal by the SCRA to register LROs in southern Kyrgyzstan.

Since 2010, Jehovah's Witnesses have been attempting to register four LROs in the Osh, Naryn, Jalal-Abad and Batken regions without success. They also applied directly to the SCRA for registration, but their applications were denied in 2011 and again in 2013.

On 4 September 2014, the Constitutional Chamber of the Supreme Court declared Article 10 (2) of the 2008 Religion Law unconstitutional. That provision required that the local city council approve a list of 200 founding members of an LRO



before an organization could obtain “record registration” from the SCRA.

In late 2014 and early 2015, Jehovah’s Witnesses again applied to the SCRA for registration of these LROs, submitting that Article 10 (2) of the Religion Law no longer applies because it has been declared unconstitutional.

The SCRA refused to apply the 4 September 2014 judgment of the Constitutional Chamber, insisting that until the law is amended by Parliament, Article 10(2) of the Religion Law is still in force and an LRO must obtain “approval” from the local city council of a list of founding members. On 15 July 2015, the appeal by Jehovah’s Witnesses was rejected by the Bishkek Inter-district Court and later by the Bishkek City Court. A further appeal was heard by the Supreme Court on 15 February 2016. The Supreme Court denied the appeal, leaving in force the negative decisions of the trial and appeal courts.

### ***Abuses and Restrictions of Religious Freedom***

On **30 May 2017**, the Supreme Court dismissed the latest appeal from the prosecution in the trial of Oksana Koriakina and her mother, Nadezhda Sergienko accused of defrauding local residents while engaged in their religious activity. The prosecutor had appealed the decision of the lower court declaring the women innocent of the charges against them and ruling that they should be compensated. However, in dismissing the appeal the Supreme Court concluded that since the women agreed to the expiration of the limitation period, they had confessed to committing the crime. This is false. The women

never admitted guilt. Jehovah's Witnesses have filed an update to the CCPR, explaining the Supreme Court's misinterpretation and the true reason for the women's request to apply the limitation period in their case. Mrs. Koriakina and Mrs. Sergienko spent more than two and a half years under house arrest based on the false charges brought by the Osh Ministry of Internal Affairs (MIA).

The trial court concluded that investigators had mistreated Oksana and Nadezhda "for being members of the religious organisation of Jehovah's Witnesses." On 29 October 2015, the Osh Regional Court upheld the trial court decision and confirmed that both women were innocent of the charges and entitled to compensation. However, the Osh City Prosecutor relentlessly resorted to appeals to keep the two women under house arrest. On 24 February 2016, the Supreme Court of Kyrgyzstan sent the case back for a new trial before a different judge. The new trial, scheduled to begin on 25 April 2016, exceeded the three-year limitation period. Attorneys for the women requested that the case be terminated on that basis. The judge agreed, giving force to the original decision. The so-called victims filed a supervisory appeal to the Supreme Court.

### ***Interference in Religious Services***

**Kemin.** On **11 January 2017**, authorities raided a religious meeting in Kemin. They began recording the meeting and taking photos. After the meeting, the officials demanded permission documents from those who took part in the meeting and drew up protocols for signature. Three elders were summoned to court and charged with administrative violations. On 19 May 2017, the court dismissed the case against the elders, but a

representative from the State Committee on Religious Affairs (SCRA) told the local Witnesses that they would now monitor all religious meetings in the country.

**Osh.** On **24 January 2017**, officials from the SCRA and local police raided a meeting and charged one of the elders with an administrative violation: religious activity without local registration.

**Osh.** On **1 June 2017**, the Prosecutor General of Kyrgyzstan (GPO) asked the Osh District Prosecutor to consider an appeal in a case concerning police brutality. Despite repeated attempts by the Witnesses' lawyers, the Osh District Prosecutor has repeatedly refused to file criminal charges against police officers who brutally attacked a group of Witnesses peacefully meeting for worship on 9 August 2015. The victims of this brutal attack filed a criminal complaint against the police. However, the Osh City Prosecutor's Office has refused to initiate a criminal case, even though it acknowledges that the officers behaved unethically. For the past two years, the victims have filed a number of appeals with the GPO. Each time, the GPO has directed the Osh City Prosecutor to investigate the policemen, and each time, the Osh City Prosecutor has refused to open a criminal case.

### ***Censorship of Religious Literature***

On **6 February 2017**, the Supreme Court of Kyrgyzstan upheld a decision that denied Jehovah's Witnesses permission to import one of their religious publications.

On **4 November 2015**, the SCRA refused to allow Jehovah's Witnesses to import the November 2015 issue of the Awake! magazine. This was the first time that the SCRA had denied a request for import since the enactment of Kyrgyzstan's Religion Law in 2008, The Religious Centre of Jehovah's Witnesses in the Kyrgyz Republic filed a claim in the Bishkek Inter-district Court against the SCRA's censorship of the magazine. On **29 March 2016**, the trial court rejected the claim. This decision was upheld by the Bishkek City (Appeal) Court on **13 July 2016**.

## **Conclusions**

The future of religious freedom is uncertain in Kyrgyzstan. Last year in October, a new president was elected, Sooronbay Jeenbekov. He took office for a single six-year term on 24 November. His position on the management of religious diversity is not known.

A new draft law on religion meant to replace the one from 2008 would require 500 founding members instead of the 200 currently requested to be eligible for registration. This would lead to the deregistration of numerous Christian and Muslim organizations, and fuel deep resentment.

The Opinion of the Venice Commission and the OSCE/ ODIHR concerning both the 2008 Law on Religion currently in force and the Concept Paper on State Policy in the Sphere of Religion of the Kyrgyz Republic was not taken into consideration.

Jehovah's Witnesses have filed four complaints with the UN Committee on Human Rights.

Foreign forms of Islam have been introduced in the country and have provided a fertile ground for the recruitment of Jihadists for the battlefields of Syria and Iraq.

Around 20 religious groups (mainly Muslim) have been banned and numerous so-called "extremists" have been arrested but such measures are inefficient at best, if not counterproductive.

State and human security are at stake, as in many other countries, but new more restrictive laws, especially about registration, will not contribute to a solution.

However, a number of positive measures are being taken to protect the population and the state against radicalization and violent extremism. Classes on religions are organized to thwart the religious illiteracy of the youth and make them less vulnerable against to the narratives of violent Islamic groups. Programs are put in place to counter violent extremism, to improve the qualifications of religious teachers and imams, and to urge greater religious tolerance.

On 28 September 2017, former President of Kyrgyzstan Almazbek Atambayev opened an international conference in Bishkek entitled "Islam in Modern Secular State", which led to a Declaration[xvi] sponsored by the participants reasserting their will to promote peace and tolerance while decisively

fighting against “persons or groups holding radical and extremist ideas and inciting to commit terroristic and violent actions.”[xvii]

The Kyrgyz Republic, led by a new President, is at a cross-road, either to restrict the religious freedom of all faiths in the name of security and the fight against violent Islamic groups, or to open the space of religious freedom for all peaceful movements whilst educating their youth about religion in a spirit of tolerance and fighting any initiative inciting to violence.

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[i] The author was in Kyrgyzstan from 18 to 24 March 2018.

[ii]Source: Concept Paper on State Policy in the Sphere of Religion of the Kyrgyz Republic. Approved by Decree Nr 324 of the Government of 6 May 2006. See <https://www.osce.org/odihr/118672?download=true> (Annex)

[iii]<https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

[iv][http://www.venice.coe.int/webforms/documents/?pdf=CDL\(2008\)117-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL(2008)117-e)

[v] Joint Opinion on Freedom of Conscience and Religious Organizations in the Republic of Kyrgyzstan by the Venice Commission and OSCE/ODIHR Advisory Council on Freedom of Religion or Belief adopted by the Venice Commission at its 76th Plenary Session, (Venice, 17-18 October 2008)

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[vii] Ibid.

[viii] See Kokkinakis v. Greece, ECtHR judgment of 25 May 1993, appl. no. 14307/88.

[ix] Report of the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, A/HRC/19/60, par 36, available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/175/41/PDF/G1117541.pdf?OpenElement>.

[x] Ibid.

[xi] (25) United Nations Human Rights Committee, General Comment 22, The right to freedom of thought, conscience and religion (available at

[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/9a30112c27d1167cc12563ed004d8f15?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/9a30112c27d1167cc12563ed004d8f15?OpenDocument): par 2.

[xii] (26) Freedom of Religion or Belief Guidelines, par B 4, Metropolitan Church of Bessarabia and Others v. Moldova, ECtHR judgment of 13 December 2001, appl. no. 45701/99, par 117.

[xiii] (27) Copenhagen 1990, par 24.

[xiv] (28) Article 18 ICCPR, Article 9 ECHR, Copenhagen 1990, par 9.4.

[xv] Submission of Jehovah's Witnesses to the OSCE/ODIHR Human Dimension Implementation Meeting (HDIM) in Warsaw on 11 September 2017.

[xvi] [http://www.eias.org/wp-content/uploads/2016/03/Declaration\\_Conference\\_Islam\\_Politics\\_Bishkek.pdf](http://www.eias.org/wp-content/uploads/2016/03/Declaration_Conference_Islam_Politics_Bishkek.pdf)

[xvii] [http://www.eias.org/wp-content/uploads/2016/03/Declaration\\_Conference\\_Islam\\_Politics\\_Bishkek.pdf](http://www.eias.org/wp-content/uploads/2016/03/Declaration_Conference_Islam_Politics_Bishkek.pdf)

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## **KYRGYZSTAN: About the arrest and sentencing of Kyrgyz journalist Zulpukar Sapanov**

*Is Kyrgyzstan gradually becoming an Islamic Republic?*

*“Kyrgyzstan is no longer the country that the world community knew and which once followed the course of democratic development...Kyrgyzstan is gradually becoming an Islamic republic.”*

*– Dinara Mukanbaeva, Kyrgyz lawyer and human rights activist*

By Andrea Curcio Lamas for Human Rights Without Frontiers

HRWF (05.10.2017) – On Tuesday 12<sup>th</sup> September 2017, Kyrgyz journalist and author Zulpukar Sapanov was sentenced to a four-year imprisonment for allegedly ‘inciting hatred between religious faiths’ – contrary to Article 299 of the Kyrgyz



Criminal Code. Seventeen days later, the Bishkek City Court reduced the previous ruling to a two-year suspended sentence. Despite the reduction of his sentence, Sapanov's arrest and trial has certainly triggered an outcry from human rights defenders in Kyrgyzstan and abroad.

In summer 2016, Sapanov published a book entitled *Kydyr Sanzhyrasy* (Genealogy of the Forefather Kydyr). His book is a detailed study of pre-Islamic beliefs in Kyrgyzstan, where he suggests that the Kyrgyz people descend from the (possibly mythical) holy person 'Kydyr-Ata', mentioning that in ancient times the Kyrgyz were not Muslims and questioning whether "Kydyr is the true God and Allah is a Satan?" Its publication was followed by fierce criticisms stemming from Kyrgyz religious leaders. The author and his book were denounced for attempting to destabilize the country by spreading content that – allegedly – diminishes the role of Islam and creates a negative attitude towards Muslims.

Sapanov's arrest and sentence could become a disturbing precedent in a country which identifies itself as 'a sovereign, democratic, legal, secular, unitary, social state' (Article 1, The Constitution of the Kyrgyz Republic), and where – in theory – 'everyone has the right to freely seek, receive, store, use information and distribute it orally, in writing or in any other way' (Article 33, The Constitution of the Kyrgyz Republic). Dinara Mukanbaeva, Kyrgyz lawyer and human rights activist, considers that Sapanov's sentence "discredits the secular and democratic status of the country". Clearly, Sapanov's case reflects the complicated interreligious relations that currently exist among communities across the country.

What is apparent is that although Kyrgyzstan's constitution protects and guarantees freedom of expression and freedom of conscience and religion, this protection is becoming highly dubious in practice. Religion and politics seem to be mixing in what is – in theory – a secular state. The role of radical

Islam seems to be growing steadily throughout recent years, which might explain the flourishing of mosques and Islamic institutions across the country.

To conclude, the uneasy question is: *Is Kyrgyzstan gradually becoming an Islamic republic?*

Further reading: 'Kyrgyzstan's Self-Defeating Conflict With Moderate Islam'

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# **The Kyrgyz Baptists: A case study in religious persecution in Central Asia**

*The troubling treatment of converted Baptists highlights the growing problem of radicalization in Central Asia.*

**By Uran Botobekov for The Diplomat**

The Diplomat (06.02.2017) – The International Crisis Group (ICG), in its annual report “Kyrgyzstan: State Fragility and Radicalization,” (\*) noted that “the radicalization of the Islamic religion is growing in Kyrgyzstan.” The report emphasizes, “In the absence of political pluralism, a reliable state and economic opportunities, growing numbers of citizens are taking recourse in religion. Islam has become a central factor in public life since the end of the Soviet era... Increasingly families opt to have even crimes dealt with by local or religious leaders rather than the police and courts.”

The critical assessment by ICG of the religious situation in the region usually causes discontent among governmental authorities in Central Asian states. Yet this time some

foreign researchers wrote a group letter to ICG, in which they have expressed their disapproval of the report. The open letter "Understanding Islamic Radicalization in Central Asia" from Central Asia scholars to the International Crisis Group was published in *The Diplomat*.

I do not intend to dispute the main causes of Islamic radicalization with the ICG and authors of the group letter; however, it should be emphasized that international organizations and research scientists analyzing the religious situation in the region usually emphasize only the Islamic radicalization in Central Asia. In this context, the critical state of other religious minorities subjected to persecution and pressure from the authorities and the Islamic Jamaat (Islamic society) remains underexamined. In this context, Kyrgyzstan faces a barbaric and terrifying situation that is a vivid example of the growing intolerance in the country and animosity of the Islamic majority toward the Christian minority.

For instance, 76-year-old Kanygul Satybaldieva, a resident of Ala-Buka district in southern Kyrgyzstan, died on October 13, 2016, after a long illness. She and two of her daughters had converted to Christianity a few years ago and have become regular members of the Christian Baptist Church. However, Satybaldieva's husband remained a practicing Muslim. A unique and multicultural environment with coexisting religions had thus been created within a single Kyrgyz family.

The religious views of the deceased have caused intolerable problems related to her funeral. The local government and villagers that belong to the Hanafi branch of the Sunni Islam have not allowed her family members to bury Satybaldieva's body at a local cemetery, arguing that the deceased had become an apostate of Islam and had followed Christianity till her death.

Her daughter, Jyldyz Azaeva, said that she appealed to the

local administration and local counselors after the Muslim majority prohibited the burial of her mother at the local cemetery. A mullah (Muslim spiritual leader) of the district, Shumkar aji Chynaliev, was the first to stand against the burial of the deceased at the Muslim cemetery. On October 14, he gathered villagers and demanded that Jyldyz Azaeva should abjure Christianity and convert to Islam again. Also, there have been calls for punishing the woman by stoning. According to her telling of the situation:

*They demanded that I should abjure the Christianity and convert to Islam. They have recorded video of the meeting. I had to agree for the sake of my mother. They have forced me to. They have wanted me to serve as a lesson for everyone else. They have forced me to say surahs from the Quran to convert to Islam. I have failed, and the imam has laughed at me in front of the people. Then I have repeated the surah from the Quran and converted to Islam for the sake of my mother. I have asked them if they allow me to bury my mother. My mother's body has started smelling after two days. But the crowd of Muslims has said no to me. They have said to bury my mother in my garden. I wouldn't wish this situation on my worst enemy. The imam has said they 'have saved me from the alien faith,' or else I would be stoned.*

According to her, no one in the crowd has tried to stop other Muslims from harassing her. The representatives of the local government and police have simply watched the situation unfold. Jyldyz Azaeva expanded on her account, speaking to radio Azattyk:

*My mother used to read the Bible, the Old Testament, the New Testament, the Book of Psalms. These books have caused no harm. These holy books say 'Do not kill, do not steal, do not commit adultery, do not covet, do not lie, fear the Lord', etc. What's bad in it? My parents have lived together for 50 years; my father has always prayed Namaz. The Muslim villagers could at least have compassion on my father. People get buried*

*regardless of their status and religion. Criminals and terrorists get buried. Even animals get buried. My mother was an ordinary citizen of Kyrgyzstan, an ordinary person. Has she killed anyone? Or stolen anything? We haven't caused any harm to anyone. We have been an obedient family. My mother's body has been disinterred and thrown away twice just for her faith in God.*

The district's mullah, Shumkar aji Chynaliev, called his talk with Jyldyz Azaeva "an explanatory talk." "The deceased Kanygul Satybaldieva and both of her daughters have happened to adopt Christianity. We have conducted explanatory work with them. But the villagers still refused to give permission to bury her mother. Then we have visited other villages with Christian cemeteries. But they have refused, too. As we can see, the earth does not accept those who betray the Islam and she cannot rest in another peace," Mullah Shumkar aji Chynaliev has said.

During the conflict, the head of Ala-Buka district government Sonunbek Akparaliev strongly opposed Christianity. He stated, "What will happen with the Kyrgyz if everyone starts abjuring Islam and converting to other religions?" His words have become a clear and strong signal for local Muslims prompting them to abuse the body of the deceased Satybaldieva on the basis of religious animosity.

According to *RFE/RL*, with no prospects of changing the imam's mind, Azaeva said her family accepted an alternative offer by local officials to arrange for her mother's burial in the nearby village of Oruktu. But after her body was interred, the Muslim leadership there, too, objected to Satybaldieva's presence in the cemetery and ordered the body exhumed.

The increasingly desperate family then accepted a proposal by local officials to bury Satybaldieva in the municipal cemetery of the district capital, Ala-Buka. But after her mother's burial, Azaeva said both local Muslim and Christian leaders in

the town agreed she must be dug up again and removed. The problem? Satybaldieva was a Baptist and thus outside of many Kyrgyz citizens' traditionally accepted notions of Christianity, which begins and ends with the Russian Orthodox Church. Finally, Satybaldieva was buried in a secret location known only to local officials and the family.

Thus, the body of Kanygul Satybaldieva has been buried three times due to the pressure from the local Muslim Ummah. Local Muslims have unburied the body twice and thrown it away as if it were garbage, hoping it would serve as a lesson for those who would dare abjure Islam and convert to Christianity. After numerous incidents, Satybaldieva has been buried for a third time, but this time police officers haven't reported the place of burial to the representatives of the Christian Baptist religion.

After international public outcry and criticism by human rights organizations, Kyrgyz authorities investigated this incident. Currently, the case of objection to the burial of Kanygul Satybaldieva at a local cemetery is being reviewed by the Ala-Buka District Court of Kyrgyzstan. The district police and prosecutor's office have initiated a criminal case under article 263, on the "Abuse of bodies of the deceased and their places of burial." The penalty under this article is either a heavy fine, or imprisonment for three to five years. Five persons have been charged in relation to this case.

The heads of local authorities and leaders of the Muslim clergy pleaded not guilty at a court session. One of the suspects, Maksat Koichumankulov, 30, has said that about 70 people had exhumed the body, among them the head of the district government and the leader of the local Muslim clergy. "But I am the only one facing the charge. This is unjust," he added.

Another alleged offender, Bektur Kulchunov, has confessed that he was simply following the decision of the Muslim jamaat.

“It’s unfair that only five persons are being judged. Other participants have been police officers, heads of local governments, who have supported us morally. Now they have made us scapegoats,” he has said.

Azaeva has also said that the five men, aged between 27 and 34, were only “carrying out someone else’s instructions” to dig up the body in their village cemetery. She is demanding authorities prosecute those they say ordered it, including the local mullah, imam, and governor. As of now, the representatives of the local government have laid the blame on the ordinary people. According to *BBC’s* Kyrgyz Service, the court convicted two of the men on three years’ probation (meaning they will not serve their sentences in prison). The court acquitted the remaining suspects.

This hasn’t been the first case in Kyrgyzstan where the Islamic majority has persecuted deceased Christian Baptists due to religious animosity. On October 22, 2016, the residents of Teploklyuchenka Village in Issyk-Kul region didn’t allow the burial of 60-year-old Christian Baptist Sydykbekova. A land plot on the village’s edge, separate from the local cemetery, was allocated for the burial of the “betrayers of Islam.” It serves as a vivid reminder to those who have abjured Islam and converted to another religion.

Another similar incident that was widely discussed occurred nine years ago in the Naryn Region of Kyrgyzstan. On May 17, 2008, local Muslims didn’t allow the burial of the body of a 14-year-old boy, Amanbek, whose father Alymbek Isakov and mother Saken Tumenbaeva had abjured Islam and become Christian Baptists.

When Baptists wanted to bury the teenager at the protestant cemetery, nearly 30 Muslims came and prohibited the digging of a grave by saying that “Baptists have no place in this life and afterlife.” They forced the father of the deceased teenager to abjure Christian Baptism and convert to Islam.



However, he flatly refused to change his religion. Failing to get help from the police and the prosecutor's office, the father buried his son right in the front yard of his house.

According to the State Committee for Religious Affairs of the Kyrgyz Republic, the activity of Baptists in Kyrgyzstan started back in 1907-08, when the first German families moved to Kyrgyzstan. Currently Kyrgyzstan has nearly 3,000 followers of this religion and 50 houses of worship. The persecution and harassment of Baptists has become more frequent in Kyrgyzstan recently. There have been cases where Muslims have beaten Baptists and even burned down their houses of worship. In December 2005, in the Kyrgyz village of Jety-Oguz, a local villager who had converted to Christianity was killed. The killer has not been found to date, but the residents of the village of the murdered protestant have no doubt that he suffered for his religious views.

In practice, these threats and offenses have served to only strengthen the Christian faith and distance its followers from Islam. The problem of proselytism is usually brought up by the leaders of Muslim jamaats, while the authorities covertly support the radical actions of Muslims. Kyrgyz President Almazbek Atambaev has turned a blind eye to the problems faced by Baptists because he doesn't want to lose Muslim support during elections. He has used religious support to strengthen and centralize his power.

Even the Russian Orthodox Christian church, the second largest religion in Kyrgyzstan, ignores the Baptists and has called them "lost dissidents." Punishments of these "renegades" and missionaries have also occurred in other states in Central Asia. In 2004, in the Tajik city of Isfara, protestant pastor Sergey Bessarab, who was an active missionary among the Muslims, was shot and killed. The investigation found that Bessarab had been killed by Muslim fanatics. Moreover, cases of beating of Muslims who have converted to Christianity have been reported in Uzbekistan and Kazakhstan.

The Muslim majority justifies its actions toward the Christian Baptists by the canons of Islam, which prescribes execution for anyone abjuring their religion. Central Asian governments turn a blind eye to the radical actions of local Muslims toward these Christian Baptists, thereby creating a favorable environment for the development of *takfir* in future. *Takfir* in Islam refers to the practice of accusing other Muslims of non-belief or apostasy. According to the Carnegie Endowment for International Peace, today the Islamic State group widely distributes the practice of *takfir*, which has been promoted to the level of political ideology in its so-called Caliphate. The militants of the Islamic State kill innocent Muslims, slaughter Yazidis and Kurds, and commit terrorist attacks in the West, all under the guise of *takfir*. If government do nothing to stop Islamic radicals, then Christian Baptists in Central Asia may repeat the sad fate of the Syrian Yazidis in the future.

In Central Asia, the problem of Islamic radicalism keeps growing. The critical situation with Christian Baptists in Kyrgyzstan proves that there is a real threat. There's one thing I'd like to say to the ICG and international researchers studying the topic: Islam in Central Asia only manages to grow radical amid the strengthening of authoritarian regimes and political repression in all five regional states.

(\*) Kyrgyzstan: State Fragility and Radicalization

<https://www.crisisgroup.org/europe-central-asia/central-asia/kyrgyzstan/kyrgyzstan-state-fragility-and-radicalisation>

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