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KYRGYZSTAN: Fighting against violent extremism?

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

Violent attacks continue against Christians and Muslims friendly with Christians after an attack on a Protestant left him needing immediate surgery. His lawyer was violently attacked in a police station and herself needed hospitalisation. "The state does nothing", a local person told Forum 18.

Violent attacks are continuing in 2019 in Issyk-Kul Region against local Christians and Muslims friendly with Christians after an October 2018 attack on a young Protestant, Eldos Sattar uuly, which left him injured and in need of immediate hospitalisation. The authorities brought inadequate charges against Sattar uuly's attackers, who are still walking around free despite being supposedly under house arrest.

"In the most recent case, 10 people violently attacked a Muslim friend of the family", a local person who wishes to remain anonymous for fear of reprisals told Forum 18. The Muslim was attacked "just because they are a good friend of Sattar uuly's family, and refused to stop being friends with them" (see below).

In another violent attack a Protestant was in December 2018 stopped in a local market by a local drunk man who demanded that he give him money. When he refused he was attacked by the drunk and others who shouted "we know you are a Christian and we will punish you". As a result of the attack the Protestant had "a swelling on his head and headaches for a couple of weeks", Forum 18 was told (see below).

None of the victims of the attacks want to complain to the authorities as they are afraid of reprisals against themselves and other local people, Forum 18 was told. "The state does nothing," the local person told Forum 18 (see below).

Complaints by Sattar uuly's lawyer Zhanara Askar kyzy to Issyk-Kul Regional Prosecutor resulted in the police replying that "our investigation did not confirm your claims .. When you make such claims, please present concrete facts." She was also threatened with prosecution under Criminal Code Article 299 ("Incitement of national, racial, or religious hatred") which carries the possible punishment of up to eight years in jail (see below).

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 (see below).

Officials have denied to Forum 18 that any such incidents took place (see below).

Independent religious expert Galina Kolodzinskaya pointed out that "our authorities have declared that they are fighting against violent extremism. If the authorities do not deal seriously with this and the other cases which are examples of violent extremism", she told Forum 18, "Kyrgyzstan will be in a deplorable situation which threatens national security" (see below).

October 2018 attack

After an October 2018 attack on a young Protestant, Eldos Sattar uuly, leaving him seriously hospitalised, members of many religious communities across Kyrgyzstan expressed concern at attacks and the impunity the authorities appear to give attackers. "Eldos is in hospital, and the attackers are in freedom", his lawyer Zhanara Askar kyzy commented to Forum 18 (http://www.forum18.org/archive.php?article_id=2430) at the time.

The attack took place after the three attackers – who have been identified - broke into his uncle Nurbek Esenaly uuly's house in the village of Tamchi, in Issyk-Kul [Ysyk-Kol] District of the north-eastern Issyk-Kul Region. The young men involved had intended to attack Esenaly uuly, but found and attacked Sattar uuly instead having over a period of time trying to violently intimidate him "to renounce his Christian faith and convert to Islam", a villager told Forum 18. Sattar uuly refused to renounce his Christian faith, and the attack left him unable to speak or move his jaws. His known attackers have not yet been punished, have been allowed free to

threaten him in hospital (http://www.forum18.org/archive.php?article_id=2430), and it is unclear if they will ever be punished.

Police charged the three attackers under Criminal Code Article 234 ("Hooliganism"), but Sattar uuly's lawyer Askar kyzy told Forum 18 that this charge is inadequate for the crimes, as her client "received serious harm to his health and was left half-conscious and without help at the crime scene". She pointed out that police should also bring charges for breaking into the house, as well as at minimum criminal charges under both Criminal Code Article 299 ("Incitement of national, racial, or religious hatred") and Criminal Code Article 105 ("Deliberate infliction of non-life threatening physical harm") (http://www.forum18.org/archive.php?article_id=2430).

In November 2018 a court refused to order that the attackers be held in custody, even though police do not appear to be enforcing the house arrest the attackers are supposedly under (http://www.forum18.org/archive.php?article_id=2430).

Continuing violent attacks yet "the state does nothing"

People in Tamchi have told Forum 18 that violent attacks on local Christians have continued from December 2018 to February 2019. "In the most recent case, 10 people violently attacked a Muslim friend of the family", a local person who wishes to remain anonymous for fear of reprisals told Forum 18. The Muslim was attacked "just because they are a good friend of Sattar uuly's family, and refused to stop being friends with them".

In another violent attack a Protestant was in December 2018 stopped in a local market by a local drunk man who demanded that he give him money. When he refused he was attacked by the drunk and others who shouted "we know you are a Christian and we will punish you". As a result of the attack the Protestant had "a swelling on his head and headaches for a couple of weeks", Forum 18 was told on 6 March 2019. The Protestant had to leave the village for his safety.

The local person added that in Tamchi and at least two other nearby villages some local people are prepared to destroy the homes of Christians.

Issyk-Kul Police Investigator Eldar Egemberdiyev, who is in charge of the case, refused on 28 February to explain to Forum 18 why the attackers of Sattar uuly are in freedom and not under house arrest, and why police are doing nothing to stop further violent attacks. He then put the phone down.

None of the victims of the attacks want to complain to the authorities as they are afraid of reprisals against themselves and other local people, Forum 18 was told.

"The state does nothing", the local person told Forum 18.

As Galina Kolodzinskaya, an independent religious expert from the capital Bishkek, told Forum 18 in November 2018: "If the authorities do not punish the perpetrators it might give a sign to other aggressive individuals to attack religious minorities, because they will know they can get away with impunity" (http://www.forum18.org/archive.php?article_id=2430).

Sattar uuly and his uncle Esenaly uuly have had to leave the area for fear of further attacks, local people who did not wish to be named for fear of reprisals told Forum 18 on 28 February.

Although Sattar uuly's attackers are supposed to be under house arrest (http://www.forum18.org/archive.php?article_id=2430), another local person told Forum 18 on 5 March 2019 that "the attackers walk around freely, in a good mood, dressed in good clothes". The local person wishes to be anonymous for fear of reprisals.

Even when an attacker is supposedly brought to justice, this is no guarantee that they will face the punishment the law requires. Kyrgyzstan has a long record of not bringing perpetrators, including state officials, to justice (http://www.forum18.org/archive.php?article_id=2430).

"Our investigation did not confirm your claims.."

Sattar uuly's lawyer Askar kyzy complained to Issyk-Kul Regional Prosecutor as the "Issyk-Kul District authorities have not in a timely manner held prophylactic talks with the local population to prevent inter-religious conflicts". She also pointed out that "Sattar uuly was beaten for being an adherent of Christian religion, but no measures were taken against the police who minimised the motives and circumstances of the crime". She also reiterated that no effective measures have been taken against the identified attackers.

On 26 October Deputy Regional Prosecutor Kubanychbek Shatenov referred the case to the Issyk-Kul authorities.

On 28 January 2019 Colonel Altair Ismailov, head of Issyk-Kul Regional Police Criminal Investigation Department and also the Issyk-Kul Deputy Police Chief, wrote to the lawyer Askar kyzy in a letter Forum 18 has seen. He reiterated that the attackers have

been charged with hooliganism, and claimed that "our investigation did not confirm your claims that law-enforcement agencies are: not investigating the case objectively; hiding the motives of the crime; turning a blind eye to hostile actions by local people; and that there are threats to the life of Sattar uuly. When you make such claims, please present concrete facts."

Issyk-Kul Deputy Regional Prosecutor Kuanyshbek Muratbekov (who replaced Shatenov on his retirement) refused to answer any of Forum 18's questions on the case and put the phone down.

Lawyer threatened by police for doing duty

Colonel Ismailov also claimed to Askar kyzy by phone that she is "inciting religious conflict and sowing discord among people", and risks prosecution under Criminal Code Article 299 ("Incitement of national, racial, or religious hatred") which carries the possible punishment of up to eight years in jail.

Colonel Ismailov denied to Forum 18 that he threatened Askar kyzy with criminal prosecution, or claimed that she is provoking religious conflict. "I never said such things," he claimed on 6 March.

"That did not happen" ?

Asked why only hooliganism charges are being brought against the attackers, and not the more serious charges their crimes apparently merit, Colonel Ismailov claimed that it was only hooliganism, serious physical harm was not done to Sattar uuly, and he was not attacked because he was a Christian. "That did not happen" the Colonel claimed to Forum 18.

Asked how he can be sure of this as the facts are well documented and Sattar uuly needed immediate hospitalisation and went through surgery at the National Hospital in Bishkek (http://www.forum18.org/archive.php?article_id=2430), Colonel Ismailov claimed that "there is nothing like that in the case materials". When Forum 18 reminded him that the lawyer had pointed out to Issyk-Kul Prosecutor's Office that police had minimised the crime and its circumstances the Colonel replied "we confirmed that this is not true".

Both Issyk-Kul Police Chief Kanat Aydayev and his Deputy Akylbek Bekishov refused to discuss the case or answer question on 28 February.

Attacker's relative offers money if case against attackers dropped

A family member of one of the attackers met Askar kyzy and offered Sattar uuly 20,000 Soms if he would agree to charges against the attackers being dropped. The average monthly salary in Issyk-Kul Region is about 22,000 Soms. Sattar uuly and his lawyer refused this offer as inadequate, pointing out the serious physical and psychological damage the attack caused. The attacker's family member left the meeting claiming that "you are outrageous and have big appetites".

Sattar uuly's family are concerned that the attackers may try to have a criminal case launched against the family for alleged extortion. Sattar uuly's uncle had led negotiations with the attackers over compensation for medical costs resulting from the attack, which were very expensive. "They are ready to produce false testimony for this", a relative stated.

Safer in capital?

Thinking that a meeting between the parties in the case for police to question witnesses would be safer for the victim if held in Bishkek rather than in Issyk-Kul Region, Askar kyzy asked the Interior Ministry to instruct Issyk-Kul Police to hold the meeting in Bishkek. The Interior Ministry agreed to this.

"We thought it was a victory that they agreed to hold the meeting in Bishkek where we thought it would be safer", one of Sattar uuly's family who asked not to be named for fear of state reprisals, told Forum 18 on 23 February.

Attack in police station

The meeting took place in Bishkek's Lenin District Police Station on 23 February and participants included Sattar uuly and his lawyer Askar kyzy, the attackers and their lawyer Bakyt Abirov (a former district police chief), and Investigator Eldar Egemberdiyev from Issyk-Kul Police, who led the questioning.

During the questioning the lawyer Abirov and the two attackers "freely insulted us and Christianity", Askar kyzy told Forum 18. When she asked Investigator Egemberdiyev to insist that the attackers and their lawyer behave respectfully as the law requires, Egemberdiyev "ignored this and went outside for a smoke".

"At this point lawyer Abirov grabbed me by my coat collar, put me against the wall, shouted unspeakable curse words to me, and threatened that he will put me and my client behind bars unless we withdraw the complaints", Askar kyzy told Forum 18.

Abirov and the attackers also claimed that Sattar uuly "went from door to door making negative remarks about Muslims and inciting religious hatred", Askar kyzy told Forum 18. "This is not true, but they [Abirov and the attackers] are already gathering statements to prepare a criminal case."

Askar kyzy added that Lawyer Abirov "repeated Colonel Ismailov's earlier threat to prosecute me in exactly the same words the Colonel used. Abirov said that the authorities are ready if he wants this to prosecute Askar kyzy under Criminal Code Article 299 ("Incitement of national, racial, or religious hatred"), Criminal Code Article 234 ("Hooliganism"), and Criminal Code Article 313 (Extortion of Bribes"), all of which carry jail terms.

Abirov also swore at Sattar uuly, and grabbed Askar kyzy's phone from her to delete a recording she was making of the meeting.

Police and attackers' lawyer stop defence lawyer hospitalisation for heart condition

"I felt sick and dizzy" after these physical and verbal attacks, Askar kyzy said. "Because of the stress my blood pressure rose and I called my husband." She also called an ambulance but police would not allow the medical team into the Police Station. "Investigator Egemberdiyev with the lawyer Abirov prevented me from getting into the ambulance to be taken to hospital."

Investigator Egemberdiyev prevented Sattar uuly and Askar kyzy from leaving at various points during the meeting, at one point "threatening to put on handcuffs". The two were only allowed to leave at 7 pm in the evening. The meeting, which had started at 10 am, was expected to last only about an hour.

As Askar kyzy and Sattar uuly left the Police Station, "Abirov continued shouting threats after us, and said that some villagers are against the Christians and they are getting local people to write complaints against us", Askar kyzy told Forum 18. 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".

After leaving the Police Station "my husband took me to a hospital where I was treated for an attack of coronary heart disease for two days," Askar kyzy told Forum 18. Coronary heart disease is a very common cause of death. She was discharged from the hospital on 25 February.

One of Sattar uuly's family told Forum 18 that doctors had told Sattar uuly to avoid stressful situations. "He came out of the meeting exhausted, as if he had been attacked again."

"No such incident took place"

Investigator Egemberdiyev denied that anything wrong had happened during the questioning. "No such incident took place", he claimed. He then referred Forum 18 to Issyk-Kul Regional Police before putting the phone down.

Issyk-Kul Regional Police Colonel Ismailov claimed to Forum 18 about the attacks during the questioning that "if Sattar uuly and his lawyer Askar kyzy file a complaint we will investigate it."

"Nothing like that happened. It is all lies."

The attackers' lawyer Abirov also denied that anything wrong had happened during the questioning. "Nothing like that happened. It is all lies", he claimed to Forum 18 on 6 March. He also claimed that "before Askar kyzy came into the picture, the two sides were about to agree that the victim [Sattar uuly] would be compensated without taking the case to court. But after she got involved, she began provoking people into a conflict between religions." Asked what exact actions or statements he is claiming that Askar kyzy made to do this, he could not name anything specific but claimed that "we wanted this issue to resolved quietly without making it public and without going to court. But because of her we could not do it."

Asked why he threatened a lawyer with criminal prosecution for making a crime public and taking it to court, Abirov would not answer Forum 18.

Asked what compensation for expensive medical costs should be paid to Sattar uuly and his family, he began swearing at Forum 18 and put the phone down. He did not answer subsequent calls to his phone.

Common police behaviour

A human rights defender told Forum 18 that in Kyrgyzstan, if police take the side of violent attackers, they often threaten victims with criminal charges if they do not co-operate with their attackers.

Police did this after a series of violent attacks on Baptists in Issyk-Kul Region, ordering Baptists to meet their attackers and "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. They are convinced that these attacks and the police response contributed to a church being burned down (http://www.forum18.org/archive.php?article_id=2346). Violent attacks, including against people trying to bury their dead, have continued (http://www.forum18.org/archive.php?article_id=2349).

"I do not know the details of the case"

Suyunbek Munaytabasov, Chief Investigator of the Interior Ministry's Investigations Department, arranged that the meeting be held in Bishkek's Lenin District Police Station. Asked by Forum 18 on 28 February what the authorities are doing about the violent attacks by police and attackers' lawyer Abirov in the Police Station, Munaytabasov claimed: "I have been appointed to this position a month ago, and I do not know the details of the case. Let Askar kyzy write a complaint to us and we will investigate it."

Fighting against violent extremism?

Defence lawyer Askar kyzy told Forum 18 that the case and the authorities behaviour "sets a dangerous precedent, and the authorities need to take serious measures."

Independent religious expert Kolodzinskaya pointed out that "our authorities have declared that they are fighting against violent extremism", she told Forum 18 on 28 February from Geneva. "If the authorities do not deal seriously with this and the other cases which took place in Issyk-Kul, which are examples of violent extremism, Kyrgyzstan will be in a deplorable situation which threatens national security". (END)

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

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

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

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