

# Kirghizistan : risques liés à l'appartenance au groupe Hizb-ut-Tahrir

Renseignement de l'analyse-pays de l'OSAR

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Ce rapport repose sur des renseignements d'expert-e-s et sur les propres recherches de l'Organisation suisse d'aide aux réfugiés (OSAR). Conformément aux standards COI, l'OSAR fonde ses recherches sur des sources accessibles publiquement. Lorsque les informations obtenues dans le temps imparti sont insuffisantes, elle fait appel à des expert-e-s. L'OSAR documente ses sources de manière transparente et traçable, mais peut toutefois décider de les anonymiser, afin de garantir la protection de ses contacts.

# 1 Introduction

Les questions suivantes sont tirées d'une demande adressée à l'analyse-pays de l'OSAR :

1. Que sait-on du parti Hizb ut-Tahrir au Kirghizistan ? Quelle est son influence ?
2. Ce groupe fait-il l'objet d'une répression de la part des autorités ?
3. Quelles sont les conséquences pour une personne qui fait partie de ce parti au Kirghizistan au vu du fait que ce parti est interdit ?

L'analyse-pays de l'OSAR observe les développements au Kirghizistan depuis plusieurs années.<sup>1</sup> Sur la base de ses propres recherches ainsi que de renseignements transmis par des expert-e-s externes, elle apporte les réponses suivantes aux questions ci-dessus.

## 2 Le groupe Hizb ut-Tahrir

**Hizb ut-Tahrir est un mouvement islamiste pan-national qui prône le renversement des gouvernements laïques en Asie centrale par des moyens non-violents.** Selon *Human Rights Watch* (HRW), Hizb ut-Tahrir, ou parti de la libération, est un mouvement islamiste pan-national qui cherche à établir un califat dans le monde musulman sur la base de la charia. Le groupe affirme ne vouloir utiliser que des moyens non-violents pour y parvenir (HRW, 17 septembre 2018). L'*International Crisis Group* (ICG) avance également que Hizb ut-Tahrir est un groupe qui prône le renversement des gouvernements dans le monde musulman et leur remplacement par un État islamique sous la forme d'un califat, mais qui rejette la violence comme forme de lutte politique (ICG, 30 juin 2003). Selon *Eurasianet*, le groupe Hizb ut-Tahrir cherche à établir un califat afin de « reprendre le mode de vie islamique » (*Eurasianet*, 15 février 2008).

**Hizb ut-Tahrir est interdit dans toute l'Asie centrale. Il est interdit au Kirghizistan depuis au moins 2006.** Pour ICG, le groupe s'est rapidement développé en Asie centrale où il fait l'objet d'une répression sévère (ICG, 30 juin 2003). *Eurasianet* affirme que ce groupe est interdit dans toute l'Asie centrale (*Eurasianet*, 15 février 2008). Selon HRW, ce groupe est interdit dans plus de douze pays. Le Kirghizistan l'a interdit en 2003, au motif que celui-ci cherche à renverser le gouvernement (HRW, 17 septembre 2018). Le *United States Institute of Peace* (USIP), une institution de promotion de la paix, avance que les autorités kirghizes ont interdit le groupe Hizb ut-Tahrir en 2006, au motif que celui-ci prêche le renversement du gouvernement laïque. A l'instar d'autres pays d'Asie centrale qui ont également interdit le groupe, le Kirghizistan est préoccupé par ses éventuelles liens idéologiques et opérationnels avec d'autres groupes de militants islamistes étrangers (USIP, octobre 2014).

**Le groupe compterait jusqu'à 40 000 membres au Kirghizistan et recrute surtout des personnes d'origine ouzbek.** Pour le USIP, le groupe comptait en 2014 près de 40 000

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<sup>1</sup> [www.osar.ch/publications/rapports-sur-les-pays-dorigine](http://www.osar.ch/publications/rapports-sur-les-pays-dorigine)

membres au Kirghizistan, dont dix pour cent étaient des femmes (USIP, octobre 2014). Selon un rapport cité par *Eurasianet*, ce groupe avait en 2008 au moins 2000 membres au Kirghizistan (*Eurasianet*, 15 février 2008). Pour le USIP, au Kirghizistan, Hizb ut-Tahrir recrute essentiellement des personnes d'origine ouzbek présentes dans le sud du pays. Celles et ceux-ci seraient attirés par la vision mise en avant par ce groupe d'un État islamique unique en Asie centrale. Depuis 2010, le recrutement de personnes d'origine ouzbek dans ce groupe aurait ainsi fortement augmenté. C'est également depuis cette période que le groupe serait devenu actif dans les zones à majorité ethnique kirghize dans le nord du pays. Le succès du groupe serait en partie expliqué par le fait que les institutions religieuses d'État sont perçues comme corrompues (USIP, octobre 2014).

## 3 Traitement des membres du groupe Hizb ut-Tahrir par les autorités

### 3.1 Bases légales

**Des centaines de personnes condamnées sur la base de l'article 299-2 du Code pénal qui permettait jusqu'en 2019 de poursuivre une personne pour simple possession de matériel « extrémiste ». Des peines de trois à dix ans de prison.** Dans un rapport soumis en 2019 pour l'Examen Périodique Universel du Kirghizistan, HRW indique que les autorités du Kirghizistan ont poursuivi des centaines de personnes pour avoir « stocké » du matériel « extrémiste ». Ces poursuites étaient basées sur l'article 299-2 de l'ancien Code pénal qui permettait de condamner les personnes pour simple possession de vidéos, de brochures et de livres interdits. Les personnes reconnues coupables ont été condamnées à des peines de trois à dix ans de prison, même si elles n'avaient pas l'intention d'utiliser le matériel pour inciter à la violence. Selon HRW, les procès ne respectaient pas les normes internationales en la matière (HRW, juin 2019). Dans un rapport publié en septembre 2018, HRW indiquait que depuis 2010, 258 personnes avaient été condamnées dans le pays pour possession de matériel extrémiste au titre de l'article 299-2 du Code pénal, le chef d'accusation le plus souvent utilisé contre les personnes suspectées de terrorisme ou d'extrémisme. Des centaines de suspect-e-s étaient également en attente de jugement. Dans un grand nombre de cas, cet article du Code pénal était utilisé pour sanctionner la simple possession de matériel interdit, tels que des vidéos ou de la littérature, sans même que la personne condamnée n'ait eu l'intention de les diffuser. C'est un organisme gouvernemental, la Commission d'État pour les affaires religieuses, qui déterminait si un document était extrémiste ou pas. Les défenseur-e-s des droits humains ont critiqué le manque de d'impartialité et d'expertise de cet organisme. Selon des chiffres fournis par le Service pénitentiaire de l'État, en juin 2018, 540 personnes étaient en prison, ou purgeaient des peines avec sursis, pour des accusations liées à l'extrémisme ou au terrorisme. La majorité avaient été condamnées sur la base de l'article 299-2. Dans aucun des 34 cas d'individus accusé-e-s ou condamné-e-s pour possession de matériel « extrémiste » examinés par HRW, les autorités n'ont apporté la preuve que celles-ceux-ci avaient diffusé ce matériel ou avaient l'intention de le faire (HRW, 17 septembre 2018).

**En janvier 2019, l'article 299-2 du Code pénal a été remplacé par l'article 315 qui a réduit sa portée. Dorénavant, la possession de matériel extrémiste est uniquement une infraction pénale s'il y a également intention de le diffuser. Baisse du nombre d'arrestations pour extrémisme.** Selon HRW, en janvier 2019, le Code pénal a été modifié et la portée de l'article 299-2 (devenu l'article 315) a été réduite. Dorénavant, pour être considérée comme une infraction pénale, la possession de matériel « extrémiste » doit être accompagnée de l'intention de le diffuser. Toutefois, le nouveau Code pénal n'a pas modifié la définition de l'extrémisme qui, selon HRW, reste trop large, ouverte à interprétation et qui peut faciliter des condamnations injustes. De plus, les amendements du Code pénal ne s'appliquent pas automatiquement et rétroactivement aux personnes condamnées uniquement pour possession de matériel extrémiste (HRW, juin 2019). L'*Office français de protection des réfugiés et apatrides* (OFPRA) confirme que, depuis janvier 2019, la simple possession de matériel jugé extrémiste ne suffit plus à faire condamner une personne. Les autorités doivent maintenant prouver que ce matériel appartient bien à cette personne et que celle-ci l'a diffusé. L'OFPRA souligne que ce sont des spécialistes du service de l'État de lutte contre l'extrémisme et l'immigration illégale qui ont la tâche de déterminer si un matériel est extrémiste ou pas. Cependant, ces spécialistes n'ont qu'une connaissance limitée de la religion et leurs conclusions peuvent aboutir à des décisions abusives (OFPRA, octobre 2019). Selon le *Département d'État américain* (USDOS), le nombre d'arrestations pour extrémisme a baissé de manière significative depuis l'entrée en vigueur des modifications sur les lois extrémistes en janvier 2019. Alors qu'en 2018, 213 personnes avaient été arrêtées pour extrémisme, en 2019 ce chiffre est tombé à six. Selon des chiffres officiels du *Service national de sécurité* (GKNB), durant les neuf premiers mois de l'année 2019, 399 pièces de matériel extrémistes ont été saisies. Toutefois, aucune poursuite pénale n'a été engagée en raison des amendements apportés à la loi sur l'extrémisme (USDOS, 10 juin 2020).

**Depuis 2019, les suspect-e-s sont arrêté-e-s pour « association avec des groupes extrémistes ». Les tribunaux ont également élargi la définition de « l'intention de distribuer » du matériel extrémiste.** Le *département d'État des États-Unis* (USDOS) note que depuis la modification en 2019 de la loi sur l'extrémisme, les services de sécurité se seraient tournés vers la surveillance en ligne des contenus partagés sur les réseaux sociaux et procéderaient à l'arrestation de citoyen-ne-s d'origine ouzbek au motif qu'elles/ils seraient « associé-e-s à des groupes extrémistes » (USDOS, 31 mars 2021). USDOS relève également que, selon des observatrices-teurs des droits humains, les tribunaux contournent parfois la dépénalisation de 2019 en élargissant la définition de « l'intention de distribuer » du matériel extrémiste (USDOS, 16 décembre 2021).

## 3.2 Répression du groupe Hizb ut-Tahrir

**Plan de lutte gouvernemental contre le groupe Hizb ut-Tahrir lancé en 2008.** Selon *Eurasianet*, en 2008, le gouvernement du Kirghizistan a signalé son intention de lancer une campagne visant à éradiquer le groupe islamiste interdit Hizb ut-Tahrir. En janvier 2008, le premier ministre a ordonné la mise en œuvre d'un plan visant à lutter contre « la propagation de l'extrémisme religieux », désignant en particulier le groupe Hizb-ut Tahrir. *Eurasianet* note que dans certaines parties du pays, notamment dans la vallée de Ferghana, un accord tacite entre les autorités locales et les membres du groupe permettait jusque-là à ces derniers et ces derniers de vivre et travailler sans entraves, à condition qu'ils fassent profil bas. Toutefois, face à une influence grandissante du groupe, le gouvernement a annoncé que des mesures de portée nationale devaient être prises (*Eurasianet*, 15 février 2008).

**Une grande partie des personnes arrêtées pour « extrémisme » ou possession de matériel extrémiste sont des membres du groupe Hizb ut-Tahrir et sont d'origine ouzbek.** Selon USDOS, depuis 2014 il existe une tendance à l'arrestation de personnes soupçonnées d'implication avec le groupe Hizb ut-Tahrir, de possession et de distribution de matériel du groupe. La plupart des arrestations de membres présumé-e-s du Hizb ut-Tahrir ont eu lieu dans le sud du pays et concernaient des personnes d'origine ouzbek (USDOS, 31 mars 2021). D'après le *SOVA center for information and analysis*, un think-tank basé à Moscou, en 2016, les personnes d'origine ouzbek représentaient plus de la moitié des personnes condamnées pour crimes terroristes ou « extrémisme » (SOVA, 2020). Selon HRW, une grande partie du matériel considéré comme extrémiste est constituée de sermons et d'écrits du parti Hizb ut-Tahrir. Ce dernier fait partie d'une liste de 21 organisations considérées comme extrémistes ou terroristes. Ses membres sont fréquemment accusé-e-s d'infractions liées à l'extrémisme ou au terrorisme (HRW, 17 septembre 2018). HRW indique que les poursuites engagées par le gouvernement sur la base d'accusations de terrorisme et d'extrémisme visent surtout les personnes d'origine ouzbek (HRW, juin 2019). USDOS indique également que les personnes d'origine ouzbek ont rapporté être victimes de harcèlement par la police, généralement en rapport avec la possession de littérature religieuse interdite ou le soutien à des organisations interdites, qui, selon eux, se fondent sur de faux témoignages ou des preuves dissimulées (USDOS, 10 juin 2020). Selon USDOS, qui cite des ONG de défense des droits humains, les services de sécurité utilisent les lois relatives aux documents dits extrémistes sur Internet pour poursuivre de manière disproportionnée les personnes d'origine ouzbek, en particulier celles qui suivent des comptes de réseaux sociaux axés sur l'islam (USDOS, 16 décembre 2021).

**Surveillance et arrestations régulières de personnes suspectées d'implication avec le groupe Hizb ut-Tahrir. Plus de 300 personnes détenues en 2019 pour distribution de documents extrémistes. La majorité des cas concernaient le groupe Hizb ut-Tahrir. Les arrestations se sont poursuivies en 2021.** Dans son dernier rapport annuel, *Freedom House* indique que le gouvernement surveille et restreint certains groupes, y compris le mouvement islamiste non-violent Hizb ut-Tahrir. Les autorités effectuent régulièrement des descentes dans des lieux où se réunissent les membres de ce groupe pour discuter de leurs croyances (*Freedom House*, 3 mars 2021). Selon HRW, qui cite des chiffres du ministère des affaires intérieures, en 2016, 4154 personnes figuraient sur une liste de surveillance des extrémistes, y compris des membres de Hizb ut-Tahrir (HRW, 17 septembre 2018). D'après le *SOVA center for information and analysis*, entre janvier et décembre 2019, plus de 300 personnes ont été détenues pour avoir distribué des documents extrémistes. La plupart des cas de poursuites pour stockage de documents extrémistes concernaient des documents liés au groupe Hizb ut-Tahrir (SOVA, 2020). En novembre 2021, Radio Free Europe/ Radio Liberty (RFE/RL) a rapporté que les autorités avaient arrêté un ressortissant ouzbek, chef présumé du groupe Hizb ut-Tahrir, dans le sud à la frontière avec l'Ouzbékistan. Les autorités ont également déclaré avoir arrêté quelques jours plus tard plusieurs dirigeant-e-s et membres du Hizb ut-Tahrir dans la région de Chui, dans le nord du pays (RFE/RL, 10 novembre 2021). En octobre 2021, *Xinhuanet* a rapporté que les autorités avaient arrêté six membres du groupe Hizb ut-Tahrir dans la ville de Kyzyl-Kiya, dans le sud du pays. Les suspect-e-s sont accusé-e-s d'avoir tenu des cours de religion pour promouvoir l'idéologie du groupe et d'organiser des « rassemblements » mensuels pour ses membres (*Xinhuanet*, 12 octobre 2021). Selon USDOS, en juin 2019, les autorités ont arrêté six membres présumé-e-s du groupe Hizb ut-Tahrir dans la province de Naryn (USDOS, 10 juin 2020).



**Mauvais traitements et torture contre des personnes suspectées de possession de matériel extrémistes dans le but de leur extorquer des aveux. Les forces de l'ordre placeraient de fausses preuves chez les suspect-e-s.** Selon HRW, les mauvais traitements, y compris la torture, sont pratiqués dans le pays et l'impunité est la norme. Les agent-e-s des forces de l'ordre ont infligé des violences physiques ou d'autres formes de mauvais traitements à des suspect-e-s détenu-e-s pour possession de matériel extrémiste et les ont soumis à des passages à tabac et à d'autres formes d'humiliation pendant leur détention (HRW, juin 2019). HRW indique que de nombreuses personnes condamnées ont allégué avoir subi des mauvais traitements visant à leur extorquer des aveux. D'autres ont affirmé que les forces de l'ordre avaient elles-mêmes placé de fausses preuves pour les accuser ou les faire chanter. Des représentant-e-s du gouvernement, interrogé-e-s par HRW, ont admis que les forces de l'ordre pratiquaient la torture, l'extorsion ou plaçaient de fausses preuves, mais elles/ils ont affirmé qu'il s'agissait là de cas isolés. Le Comité contre la torture des Nations Unies a confirmé que les forces de l'ordre pratiquaient la torture, notamment pour obtenir des aveux, et que l'impunité était la règle. Pour HRW, les arrestations et poursuites effectuées au titre de l'article 299-2 violent les droits et libertés fondamentaux (HRW, 17 septembre 2018). USDOS affirme également que dans certains cas, la police se serait introduite chez les suspect-e-s pour y placer du matériel interdit liés à Hizb ut-Tahrir et prononcer de fausses accusations dans le but de leur soutirer un pot-de-vin (USDOS, 31 mars 2021). Selon l'OFPRA, qui cite des chiffres du bureau de l'Ombudsman, près d'un tiers de personnes emprisonnées pour extrémisme ont été accusées à tort. Le bureau a ainsi reçu plus de 10 000 plaintes en 2019 contre des arrestations basées sur de fausses accusations (OFPRA, octobre 2019).

## 4 Sources:

Eurasianet, 15 février 2008:

***« Kyrgyzstan has signaled the imminent launch of a campaign to stamp out the outlawed Islamist group Hizb ut-Tahrir, marking a departure from a toothless ban that has contrasted sharply with its treatment elsewhere in the region.***

***Prime Minister Viktor Chudinov on January 28 ordered into action a plan to combat the "spread of religious extremism" during the next three years. The only group identified by name was the "religious extremist party Hizb-ut Tahrir."***

***Hizb ut-Tahrir seeks to establish a caliphate in order to "resume the Islamic way of life," but rejects violence as a means to achieving that aim. It is banned throughout Central Asia.***

***Yet Kyrgyz authorities have never pursued the group with quite the same energy as their counterparts in neighboring Tajikistan, let alone as aggressively as the Uzbek government. Indeed, in some parts of Kyrgyzstan's section of the restive Ferghana Valley, there has seemed to be a tacit agreement between local authorities and Hizb ut-Tahrir members that if the religious group keeps a low profile, its followers can live and work untrammled.***

***Now, that seems set to change.***



*Jolbors Jorobekov, former director of the Kyrgyz State Agency on Religious Affairs, tells RFE/RL's Kyrgyz Service that Hizb ut-Tahrir has succeeded in reaching far and wide across the country.*

*"Today, Hizb ut-Tahrir members are conducting their propaganda work in mountainous, remote regions -- the low standard of living of such regions is the reason for this," Jorobekov says. "It is all connected to financial conditions."*

#### *Ebb And Flow*

*Jorobekov says enlistment efforts rise and fall with the level of resources at members' disposal. "When they have money, they increase their recruitment activities -- they have the human and other resources -- brochures and leaflets, for example," Jorobekov says. "And when they don't have the finances, they again operate quietly, out of sight."*

*Russia's ITAR-TASS news agency reported on January 28 that "various Islamic religious groups from extremist sects" have been stepping up their activities in Kyrgyzstan. The news agency mentioned Hizb ut-Tahrir and reported that members who "earlier were only active in Kyrgyzstan's southern regions" are now increasingly working in the northern regions of the country and in the capital, Bishkek.*

***Kanat Murzakhalilov, the deputy director of the State Agency on Religious Affairs, tells RFE/RL that because of the spread of Hizb ut-Tahrir and other groups, it is important to work throughout the country to counter their influence. The Kyrgyz government's decision should serve as a "warning," he says.***

*Hizb ut-Tahrir "activists carry on their propaganda activities underground, but they are as active now as they ever were," Murzakhalilov says. "The members of our agency -- together with the Spiritual Board of Muslims -- are working to explain [the dangers] to the people."*

*He adds that Kyrgyz authorities are also "engaged in various preventative measures" concerning Hizb ut-Tahrir, which describes itself as "a political party whose ideology is Islam."*

#### *Broad Reach*

*Hizb ut-Tahrir's influence reaches far beyond northern Kyrgyzstan. The group is not outlawed in Britain, and it is bolstered globally by an Internet presence that includes chat rooms and other informal channels to engage the disaffected.*

*Members have been arrested in major industrial cities in northern Kazakhstan and Russian Siberia.*

***Hizb ut-Tahrir preaches the overthrow of secular governments and establishment of an Islamic state based on Shari'a law. Just how far this Islamic state extends depends on which member is speaking. Some consider the Ferghana Valley, also shared by Tajikistan and Uzbekistan, to be sufficient. Others claim to want all of Central Asia -- or all the traditionally Islamic lands.***

*Its website describes its mission as "establishing an Islamic state that executes the systems of Islam and carries its call to the world." Hizb ut-Tahrir denounces the use of violence.*

***Governments in Central Asia have made numerous attempts to link the group to violent acts, although there has never been any conclusive evidence to prove such a link. Reports of arrests of members mention literature, audiotapes, and sometimes computer discs as being confiscated. A few cartridges of ammunition have also been found.***

***But signs of an expanding membership concerns the governments in the region. The ITAR-TASS report cited "official information" that said there were some 2,000 Hizb ut-Tahrir members in Kyrgyzstan, but added that "experts in the security field" say they number many times higher.[...] »*** Source: Eurasianet, Kyrgyzstan: New Effort Aggressively Counters Hizb Ut-Tahrir, Religious Extremism, 15 février 2008: <https://eurasianet.org/kyrgyzstan-new-effort-aggressively-counters-hizb-ut-tahrir-religious-extremism>.

Freedom House, 3 mars 2021:

*« All religious organizations must register with the authorities, a process that is often cumbersome and arbitrary. **Groups outside the traditional Muslim and Orthodox Christian mainstream reportedly have difficulty obtaining registration, and the 2009 Law on Religion deems all unregistered groups illegal. Organizations such as the Jehovah's Witnesses often face police harassment. The government also monitors and restricts some Islamic groups, including the nonviolent Islamist movement Hizb ut-Tahrir and Yakyn Inkar, which practices strict asceticism.** Some unregistered religious communities have nevertheless been able to practice their faiths without state intervention, and authorities have investigated and punished relatively rare acts of violence against religious figures or minorities. [...]*

*The government does not formally restrict academic freedom, though teachers and students have reportedly faced pressure to participate in political campaigns and voting, including in the 2017 presidential election. [...]*

*Private discussion is generally free in the country, and prosecutions of individuals for the expression of personal views on social media are rare. **However, state and local authorities regularly raid homes where they believe members of banned groups like Hizb ut-Tahrir or certain religious minorities, such as Jehovah's Witnesses, meet to discuss their beliefs.** »* Source: Freedom House, Freedom in the World 2021 - Kyrgyzstan, 3 mars 2021. [www.ecoi.net/en/document/2046525.html](http://www.ecoi.net/en/document/2046525.html).

HRW, juin 2019:

***« In recent years, Kyrgyz officials have prosecuted hundreds of people for "storage" of vaguely defined "extremist" material under Article 299-2 of the former Criminal Code, a provision that allowed convictions for mere possession of banned videos, pamphlets, and books. Those found guilty, often in proceedings that flout international fair-trial standards, were sentenced to three to 10 years in prison even if they did not use or intend to use the material to incite violence. As of late 2018, several hundred other suspects were awaiting trial on the charge. Suspects have alleged they have been subjected to additional abuses, including planting of evidence or beatings to extract confessions.***

*Several suspects and their lawyers have alleged that the police also forced them to pay bribes in exchange for dropping unfounded charges.*

***Although Criminal Code amendments which took effect in January 2019 narrowed the scope of Article 299-2 (now Article 315) by requiring that storing extremist material must be “for the purpose of dissemination” to be considered a criminal offence, amendments do not address the overbroad definition of “extremism,” which has facilitated unjust convictions. Nor do the reforms automatically retroactively apply to individuals already serving prison sentences solely for possession of “extremist” material.***

***While Kyrgyz officials deny that the government targets suspects based on ethnicity, both suspects and human rights defenders who work on extremism and terrorism cases consider that authorities target ethnic Uzbeks and Islamic fundamentalists. A 2016 Supreme Court study found that the majority of people arrested for terrorism and extremism offenses are ethnic Uzbeks. [...]***

*During its last UPR, Kyrgyzstan accepted multiple recommendations to address the problem of torture, including to “Ensure that allegations of torture and other ill-treatment are investigated promptly and effectively and that the perpetrators of these acts are prosecuted and punished according to the standards required by international norms.”*

***Yet, impunity for ill-treatment including torture remains the norm, with criminal cases into allegations of ill-treatment or torture rare, and investigations and trials delayed or ineffective. Human Rights Watch found that the law enforcement officials physically abused or otherwise mistreated suspects held on charges of possessing extremist material. Human Rights Watch documented how law enforcement officials put plastic bags over suspects heads to coerce a confession and subjected them to beatings and other forms of humiliation while in detention.*** » Source: Human Rights Watch (HRW), Submission for the Universal Periodic Review of Kyrgyzstan, juin 2019, p.4-5: <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=7436&file=EnglishTranslation>.

HRW, 17 septembre 2018:

***« Sukhrob is one of at least 258 people to be convicted in Kyrgyzstan since 2010 for possessing vaguely defined extremist material under article 299-2 of the Criminal Code, the country’s most widely applied charge against terrorism and extremism suspects. Several hundred suspects are awaiting trial on the charge and the numbers increase each year, with 167 new cases opened during the first nine months of 2016, according to the most recent data available. In many cases the authorities in Kyrgyzstan have been using article 299-2 to imprison suspects solely for non-violent behavior such as possessing banned literature or videos or practicing conservative forms of Islam, a Human Rights Watch investigation found.***

***Since 2013, amendments to article 299-2 criminalize possession of material deemed extremist even if the accused has no intent to disseminate it, rendering the measure a particularly severe threat to freedom of belief and expression. In December 2016, following criticism from local and international human rights groups, Kyrgyzstan’s parliament approved amendments to the Criminal Code that will restore the requirement that possessing extremist material cannot be a criminal offense unless it is “for the purpose of***

*dissemination.” The amendments are part of a sweeping package of criminal justice reforms due to take effect in January 2019, but government authorities have warned that technical preparations for the changes are behind schedule and reform advocates are concerned that implementation may be delayed.*

*Most problematically, the amendments do not address the other central flaw in article 299-2 since its introduction in 2009: its use of an overbroad definition of “extremism.” Article 299-2 relies on the list of so-called extremist offenses in Kyrgyzstan’s 2005 Law on Countering Extremist Activity, which range from acts of terrorism to “affronts to national dignity,” “hooliganism,” and “vandalism.” The determination of whether material is or is not extremist is made by the State Commission for Religious Affairs, a government panel that human rights defenders have criticized for insufficient expertise and impartiality. The government has pledged to transfer reviews of material for extremist content to its forensic service but at time of writing had yet to do so.*

*In several cases examined by Human Rights Watch, suspects arrested for article 299-2 offences also alleged that they had been subject to one or more due-process abuses such as planting of evidence or ill-treatment. In 11 cases, suspects, their lawyers, or family members said that law enforcement officials planted books, pamphlets, videos, flash drives, or discs with banned material to make arrests or demand payoffs to drop or not bring criminal charges. In six cases, they accused law enforcement officials of beating suspects to extract confessions.*

*Most article 299-2 arrests are carried out by police from the Ministry of Internal Affairs’ 10th Department or counterterrorism forces of the State Committee for National Security (GKNB).*

*For the most part, government authorities either did not directly respond to questions about whether law enforcement officials committed abuses in article 299-2 cases or denied allegations of systemic abuse. Three government officials interviewed separately by Human Rights Watch acknowledged that some law enforcement officials carried out torture, evidence planting, and extortion but two of them said such incidents were isolated. “Yes of course we have this problem,” one official said. Some counterterrorism forces in Kyrgyzstan still include “officers and senior managers who work the old way, who still abuse rights and freedoms,” another said.*

*Kyrgyzstan’s Human Rights Ombudsman’s Office told Human Rights Watch that it had received “numerous complaints on behalf of religious believers of violations” but that prosecutors had not found any wrongdoing. A senior official in the ombudsman’s office told us that police searches are often a point at which violations can take place. He said the ombudsman’s office plans to investigate allegations of abuse under article 299-2 and prison conditions for terrorism and extremism detainees in the latter half of 2018. At time of writing, however, the ombudsman’s position was vacant.*

*The Prosecutor General’s Office told Human Rights Watch that no law enforcement officials have been disciplined or prosecuted for ill-treating suspects during questioning or investigations for extremism- or terrorism-related offenses.*

**Both the United Nations Committee Against Torture and Kyrgyzstan's National Center for the Prevention of Torture have confirmed the use of torture by law enforcement officials in Kyrgyzstan and raised concerns about it with the government.**

*While this report focuses on the overly aggressive application of article 299-2, several concerns we raise, including treatment of terrorism suspects, also apply to the broader government response in Kyrgyzstan to the rise of transnational Islamist armed groups such as the Islamic State (also known as ISIS), Syria-based Jabhat al-Nusra (which now calls itself Tahrir al-Sham), and their affiliates. Since 2012, between 2,600 and 5,000 Central Asians, including 764 from Kyrgyzstan, are estimated to have traveled to Syria, Iraq and, to a lesser degree, Afghanistan to join such groups. The numbers are subject to debate and include family members and others who did not perform combat functions. [...]*

**Government officials said much of the extremist material found in the possession of individuals prosecuted under article 299-2 is sermons and other writings from Hizb ut-Tahrir (Party of Liberation), a pan-national Islamist movement that is banned in more than a dozen countries including Kyrgyzstan. Hizb ut-Tahrir seeks to establish a caliphate throughout the Muslim world based on Islamic law but publicly disavows efforts to achieve its goals through violent means. [...]**

**Kyrgyzstan is one of eight former Warsaw Pact countries to have adopted measures prohibiting possession of extremist material, using a Russian counter-extremism law as a model.**

**The arrests and prosecutions under article 299-2 violate fundamental rights and freedoms including the right to privacy, freedom of religion, expression and association, freedom from torture and other ill-treatment, and the right to a fair trial. [...]**

*Kyrgyzstan borders China's Xinjiang province, where Chinese authorities are conducting abusive campaigns against Muslim Uyghurs and other Turkic minorities in the name of countering terrorism. The campaigns target anyone who expresses, even peacefully, his or her religious or cultural identity. Beijing pledged \$14.6 million in military aid to Kyrgyzstan in 2017. [...]*

**Kyrgyzstan has a documented history of torture or ill-treatment of criminal suspects. In its last report on Kyrgyzstan, in 2013, the UN Committee Against Torture wrote that it was "deeply concerned about the ongoing and widespread practice of torture and ill-treatment of persons deprived of their liberty, in particular while in police custody to extract confessions." It deplored a "persistent pattern" of "impunity for State officials allegedly responsible."**

**The government has acknowledged that torture occurs in Kyrgyzstan and has committed to ending it. In 2013, it approved the establishment of the National Center for the Prevention of Torture. The center reported receiving 217 complaints in 2017, including 104 for torture and 25 for ill-treatment. Of those complaints, 95 percent alleged abuse by the Ministry of Internal Affairs, which includes the Service for Combatting Extremism and Illegal Migration, known as the 10th Department counterterrorism police. Another 8 percent alleged abuse by the GKNB and 1 percent alleged abuse inside GSIN facilities. [...]**



*In 2016, the Prosecutor General's Office received 435 allegations of torture and ill-treatment, and as of February 2018 the courts were considering 48 criminal cases alleging torture. In 2016 and 2017, the courts handed down only one conviction of law enforcement officers for torture and three convictions for abuse of office related to ill-treatment.*

*Banned Groups including Hizb ut-Tahrir*

**Government authorities have proscribed 21 organizations as terrorist or extremist.** The list includes ISIS and the Taliban. It also includes Central Asian armed groups that have fought or fight in Iraq, Syria, and Afghanistan such as the IMU, the Monotheism and Jihad Front (Jamaat at-Tawhid wal-Jihad, also known as the Katibat al Tawhid wal Jihad battalion, or KTJ), and the Imam Bukhari Battalion (also known as Katibat Imam al Bukhari, or KIB).

**The list also includes Hizb ut-Tahrir (Party of Liberation), a pan-national Islamist movement whose suspected members are often charged with extremism- and terrorism-related offenses in Kyrgyzstan. Hizb ut-Tahrir seeks to establish a caliphate throughout the Muslim world based on Sharia, or Islamic law. The movement publicly disavows efforts to achieve its goals through violent means. Nevertheless, it calls for an end to secular statehood in Muslim-majority countries. Hizb ut-Tahrir is proscribed in more than a dozen countries. Kyrgyzstan banned it in 2003, saying it seeks the government's overthrow.**

*Some international security analysts express concern that Hizb ut-Tahrir is among groups that may serve as "unwitting" bridges for followers to join extremist armed groups. However, some security analysis and members of non-governmental organizations (NGOs) also contend that government authorities intentionally blur the lines between terrorism and Hizb ut-Tahrir.*

*While it falls within Kyrgyzstan's discretion to proscribe Hizb ut-Tahrir, all application of criminal law must comport with international standards on due process and focus on criminal conduct, not punish exercise of basic rights such as free speech, opinion, and association. Banning an organization should be a last resort, and the organization should be able to contest the ban in court.*

*Extremist Watch List*

**The Ministry of Internal Affairs had placed 4,154 people on its extremist watch list as of October 2016, the most recent date for which figures were available. The listed individuals are suspected of unlawful activities including membership in proscribed groups, particularly Hizb ut-Tahrir.**

*Local human rights defenders accused the authorities of routinely placing people on the list because they appear through dress and manner to adhere to religious ideologies other than state-sponsored Islam or are members of ethnic minorities. [...]*

*Overbroad Definition of Extremism*

**Article 299-2 relies on the overbroad definition of what constitutes extremism or extremist material in Kyrgyzstan's 2005 Law on Countering Extremist Activity. That 2005 law's list of extremist offenses includes serious crimes, such as intended or actual acts of terrorism, that are based on "ideological, political, racial, national (ethnic) or religious**

*hatred or enmity.” However, the list also includes “affronts to national dignity,” as well as lesser crimes such as “hooliganism” and “vandalism.” The 2005 law also criminalizes justification of, or public calls to support such activities, as well as financing or otherwise facilitating them. It defines extremist materials as any documents or information that call for or justify extremist views.*

*“This vague interpretation of extremism could allow prosecutors and judges to condemn whoever they want for whatever they want,” said Noah Tucker, a Prague-based scholar who studies Central Asian radicalism. [...]*

***According to the most recently available data, from 2010 through September 2016, courts in Kyrgyzstan convicted at least 258 people under article 299-2 of the Criminal Code. That makes article 299-2 the country’s most widely used charge in terrorism or extremism cases in recent years. Another 167 cases were opened under article 299-2 during the first nine months of 2016.***

*Government authorities did not provide Human Rights Watch with the more recent annual data we requested on article 299-2 arrests and convictions. Moreover, the government data we were able to compile on article 299-2 contained discrepancies and omissions, hence these figures should be viewed as estimates.*

*More broadly, the Ministry of Internal Affairs told Human Rights Watch that in 2017 alone, law enforcement authorities detained 565 people for questioning and opened 229 investigations into extremism-related offenses. That compares to 418 detentions and 180 new investigations in 2016 and 278 detentions in 2015.*

***As of June 2018, according to the State Penitentiary Service, 540 people were imprisoned or serving conditional sentences on extremism- or terrorism-related charges. Defense lawyers told Human Rights Watch that the majority of arrests and convictions were under article 299-2.***

*While article 299-2 does allow prosecutions for distribution of extremist material, defense lawyers and civil society members told Human Rights Watch that the vast majority of cases under this provision are for mere possession of religious pamphlets, literature, or videos and speeches—often contained on cellphones, discs, or flash drives—that the State Commission for Religious Affairs determined to be extremist, with no evidence of dissemination. (See preceding chapter.) Although in some cases the material deemed extremist does include violent content or calls to commit violent jihad, most of it does not show or depict violence, defense lawyers said.*

***Human Rights Watch reviewed 34 cases of individuals charged or convicted for possession of extremist material under article 299-2 and examined court documents in 23 cases. In none of the court documents that Human Rights Watch reviewed did the authorities present credible evidence that the accused used or intended to distribute the material to cause physical harm to populations for political, religious, or ideological purposes.***

***In 11 of the 34 cases that Human Rights Watch examined, the suspects, their family members, or their lawyers accused the police of planting material that was used to charge or convict them. In three cases, suspects or their lawyers alleged that the police***



**used fake witnesses. Seven cases included allegations that the police or security officers had tortured or otherwise ill-treated suspects, in some cases to extract confessions. Five former suspects or members of their families said the police had harassed them. Several cases involved two or more such allegations, such as planting of evidence and extortion.**

Nearly all the cases we examined are from locations in southern Kyrgyzstan including the regional capital of Osh, the city of Jalal-Abad, and the districts of Aravan, Kara Suu, Nookat, and Uzgen. The arrests were carried out by counterterrorism forces of the GKNB and the Interior Ministry's 10th Department. Diplomats, NGOs, and security experts have criticized these forces for corruption, inadequate staffing, and cumbersome bureaucracy. Both units reportedly operate with little regulation or oversight. » Source: Human Rights Watch (HRW), "We Live in Constant Fear", Possession of Extremist Material in Kyrgyzstan, 17 septembre 2018: [www.hrw.org/report/2018/09/18/we-live-constant-fear/possession-extremist-material-kyrgyzstan](http://www.hrw.org/report/2018/09/18/we-live-constant-fear/possession-extremist-material-kyrgyzstan).

ICG, 30 juin 2003:

**« Hizb ut-Tahrir al-Islami (The Party of Islamic Liberation) stands apart from better known radical Islamist movements by its apparent opposition to the use of violence. But its views are highly radical, advocating the overthrow of governments throughout the Muslim world and their replacement by an Islamic state in the form of a recreated Caliphate. It has grown quickly in Central Asia and been met with a heavy-handed repression that threatens to radicalise members still further and sow the seeds of greater Islamist extremism in the region.**

*Hizb ut-Tahrir first emerged among Palestinians in Jordan in the early 1950s. It has achieved a small, but highly committed following in a number of Middle Eastern states and has also gained in popularity among Muslims in Western Europe and Indonesia. It began working in Central Asia in the mid-1990s and has developed a committed following inside Uzbekistan, and to a lesser extent in neighbouring Kyrgyzstan, Tajikistan and Kazakhstan. Estimates of its strength vary widely, but a rough figure is probably 15-20,000 throughout Central Asia. Its influence should not be exaggerated – it has little public support in a region where there is limited appetite for political Islam – but it has become by far the largest radical Islamist movement in the area.*

**Hizb ut-Tahrir is not a religious organisation, but rather a political party whose ideology is based on Islam. It aims to re-establish the historical Caliphate in order to bring together all Muslim lands under Islamic rule and establish a state capable of counterbalancing the West. It rejects contemporary efforts to establish Islamic states, asserting that Saudi Arabia and Iran do not meet the necessary criteria. According to Hizb ut-Tahrir, the Islamic state is one in which Islamic law – Sharia – is applied to all walks of life, and there is no compromise with other forms of legislation.**

**Hizb ut-Tahrir claims to reject violence as a form of political struggle, and most of its activities are peaceful. In theory, the group rejects terrorism, considering the killing of innocents to be against Islamic law. However, behind this rhetoric, there is some ideological justification for violence in its literature, and it admits participation in a number of failed coup attempts in the Middle East. It also has contacts with some groups much**

**less scrupulous about violence.** But despite the allegations of governments, there is no proof of its involvement in terrorist activities in Central Asia or elsewhere.

Government responses have been contradictory and often ineffective. In much of the Middle East, the organisation is banned from acting openly, and many of its members have been imprisoned. **Central Asian governments have taken particularly harsh stances, with Uzbekistan leading the way by arresting and sentencing thousands of members to long prison terms.** In some other Muslim countries, such as Indonesia, Hizb ut-Tahrir acts more or less openly, as it does in much of Western Europe.» Source: International Crisis Group (ICG), Radical Islam in Central Asia: Responding to Hizb ut-Tahrir, 30 juin 2003: [www.crisis-group.org/europe-central-asia/central-asia/uzbekistan/radical-islam-central-asia-responding-hizb-ut-tahrir](http://www.crisis-group.org/europe-central-asia/central-asia/uzbekistan/radical-islam-central-asia-responding-hizb-ut-tahrir).

OFPPA, octobre 2019:

« **Malgré certaines avancées, dont la volonté affichée de l'actuel président Jeenbekov d'améliorer la situation des droits humains, celle-ci n'a pas fondamentalement évolué. La torture continue par exemple d'être pratiquée** (voir 3.). Les membres de la société civile reçoivent toujours des pressions de la part des autorités, dans le cadre professionnel et personnel. La représentante de Bir Duino a évoqué la forte surveillance dont les membres de son organisation font l'objet, ainsi que les convocations reçues du Comité pour la sécurité nationale. Les autorités reprochent notamment aux membres d'organisations de protection des droits humains de défendre des individus extrémistes, tels que le journaliste et défenseur des droits humains Azimjon Askarov. [...]

**Les minorités ouïghoure et doungane représentent chacune environ 1% de la population totale.**

**Selon les interlocuteurs rencontrés, les membres des communautés ouïghoure et doungane ne font pas l'objet de discriminations particulières de la part des autorités ou de la population majoritaire. Cependant, un expert kirghize spécialiste des questions sécuritaires souligne la possibilité que dans des régions plus reculées et conservatrices, loin des centres urbains, les membres de la communauté ouïghoure fassent l'objet de discriminations, en particulier dans leurs relations avec la police locale, et subissent un harcèlement policier.**

Par ailleurs, les membres de ces communautés ne sont pas intégrés à la population kirghize et cultivent l'entre-soi. Ils résident dans leurs propres quartiers et villages, ont leurs propres niches d'activités économiques et fréquentent leurs propres mosquées. Les mariages interethniques sont très rares. Ils ne maîtrisent pas la langue kirghize et peu la langue russe, ce qui peut engendrer des problèmes dans la vie quotidienne vis-à-vis des autres groupes ethniques et contribue à leur isolement. Ils sont largement dépolitisés. Ils sont également devenus plus religieux. La religion musulmane est vécue comme un biais pour échapper à la politique. [...]

**Selon le bureau de l'Ombudsman, 30% des personnes incarcérées pour extrémisme ne sont pas extrémistes en réalité. Plus de 10 000 plaintes ont été déposées dans les dix derniers mois contre le système judiciaire ou pour des arrestations opérées sur la base de chefs d'accusation frauduleux. Selon le bureau de l'Ombudsman, aucune de ces plaintes n'a été déposée par une personne d'ethnie ouzbèke.**

*Aussi, de l'opinion de nombreux interlocuteurs rencontrés, **les autorités utilisent de façon abusive certains articles du code pénal, notamment relatif à l'extrémisme, pour accuser des citoyens en raison de leurs opinions ou des contenus qu'ils partagent sur les réseaux sociaux.** Par exemple, en 2018, un jeune homme a diffusé une carte de vœux pour célébrer l'Aïd, où figurait un emblème de l'EI. Il a été arrêté et condamné à sept ans d'emprisonnement pour diffusion de l'emblème de l'EI. Il était originaire du sud du pays, d'appartenance ethnique kirghize et ignorait que cet emblème était celui de l'EI. **L'entrée en vigueur d'un article du code pénal en 2019 a quelque peu amélioré la situation puisque la seule possession de matériaux extrémistes ne suffit plus pour être sanctionné : elle doit être accompagnée d'actes de diffusion.** Ainsi, selon une représentante de la société civile, avant 2019, les autorités pouvaient arrêter des individus en mettant des matériaux extrémistes chez eux et en les torturant pour obtenir leur confession selon laquelle ces matériaux étaient bien à eux. Il faut désormais prouver que la personne propage ces matériaux et qu'ils lui appartiennent.*

*Sur la base d'accusations d'extrémisme, le support peut être saisi et le contenu examiné par des spécialistes du service d'Etat de lutte contre l'extrémisme et l'immigration illégale afin de déceler des éléments extrémistes. Mais ces spécialistes n'ont qu'une connaissance limitée de la religion.*

*L'enquêteur peut baser sa décision de placement en détention uniquement sur les résultats de spécialistes et, à défaut, cela aboutit à des décisions abusives. Dans le cadre de leur travail, les avocats de personnes accusées d'extrémisme et les défenseurs des droits humains consultent des vidéos sur la Syrie, l'Irak ou l'Afghanistan. Ils côtoient également des personnes accusées d'extrémisme pour pouvoir les défendre. Pour ces raisons, ils **reçoivent eux-mêmes des menaces de la part des autorités et sont régulièrement convoqués pour interrogatoire en tant que témoins au bureau de la sécurité nationale.** Selon les interlocuteurs rencontrés au sein des autorités, environ 50 personnes seraient considérées comme extrémistes ou terroristes et actuellement incarcérées. **Le Comité étatique pour les affaires religieuses a la responsabilité de se prononcer sur le caractère extrémiste d'un support, d'une information ou d'un acte. Sa décision peut aboutir à des accusations à tort.** L'Ombudsman a demandé à ce que cette décision relève d'un institut spécialisé et indépendant composé d'experts et théologiens. » Source: OFPRA – Office Français de Protection des Réfugiés et Apatrides (Author), CNDA – Cour Nationale du Droit d'Asile (Author): Rapport de mission en Asie centrale (Tadjikistan – Kazakhstan – Kirghizstan), octobre 2019: [https://ofpra.gouv.fr/sites/default/files/atoms/files/201014\\_rapport\\_ffm\\_asie\\_centrale\\_com-  
presse.pdf](https://ofpra.gouv.fr/sites/default/files/atoms/files/201014_rapport_ffm_asie_centrale_com-<br/>presse.pdf).*

RFE/RL, 10 novembre 2021:

*« **Kyrgyz authorities have apprehended an alleged leader of the Hizb ut-Tahrir Islamic group, which is banned in the mostly Muslim Central Asian nation.***

***The State Committee for National Security (UKMK) said that the suspect, who is an Uzbek citizen whose identity was not disclosed, had been detained on November 4 in the southern Osh region that borders Uzbekistan.***

*According to the UKMK, the detained person used forged documents to stay in the country and is wanted in Uzbekistan on extremism charges.*

***In a separate statement on November 10, the UKMK said that several leaders and members of Hizb ut-Tahrir, including teenagers, were detained at a gathering in the northern Chui region.***

*Hizb ut-Tahrir is a global organization based in London that seeks to unite all Muslim countries into an Islamic caliphate but says its methods for reaching that goal are peaceful.*

*The group has been banned as extremist in Central Asian nations and Russia. » Source: Radio Free Europe/Radio Liberty (RFE/RL), Alleged Leader Of Banned Islamic Group Detained In Kyrgyzstan, 10 novembre 2021: [www.rferl.org/a/kyrgyzstan-hizb-tahrir-leader-detained/31555414.html](http://www.rferl.org/a/kyrgyzstan-hizb-tahrir-leader-detained/31555414.html).*

SOVA, 2020:

***« [...] According to the State Penitentiary Service of the Government of the Kyrgyz Republic, the total number of people convicted of terrorist and extremist crimes has tripled over the past five years. There were 341 convicted offenders in 2016, 431 – in 2017, and 520 in 2018. 131 out of 520 persons were convicted for crimes of terrorism and 389 – for crimes of extremism. [...]***

*As of the end of 2019, the List of Extremist Materials published on the Ministry of Justice website of the Kyrgyz Republic contains only 21 entries. Many of these items include entire groups of web addresses. The vast majority of them are websites and materials of Hizb ut-Tahrir. [...]*

***Finally, it should be noted that no post-Soviet state, except for the Kyrgyz Republic, imposes criminal liability for the act of possession of extremist materials in and of itself. Usually, such an offence entails administrative responsibility, while in the criminal process, the fact of storing banned materials can only form an evidence of another extremist act. The use of prohibited symbols, in and of itself, does not even entail administrative responsibility in some countries. Meanwhile, the number of people in the Kyrgyz Republic charged with possession of extremist materials, especially on social networks, has increased in recent years. According to the official data, only 24 persons, who allegedly committed a crime covered by Article 299-2 of the then revised Criminal Code, were “identified” in 2014, but then there were 46 such persons in 2015, 89 in 2016, 95 in 2017, and the number reached 181 in 2018. Their share in the total number of persons charged with committing crimes against the foundations of the constitutional system and state security amounted to 61%. The number of recorded crimes under Article 299-2 was growing in a similar way: 42 in 2014, 81 in 2015, 167 in 2016, 159 in 2017, and 230 in 2018. At the same time, the number of convicted offenders under this article changed as follows: 81 in 2015, 125 in 2016, 88 in 2017 and 93 in 2018. Notably, no suspended sentences were issued under this article in 2016-2018. On December 18, 2019, the Service for Countering Extremism and Illegal Migration of the Ministry of Internal Affairs of the Kyrgyz Republic reported that, since the beginning of the year, over 300 people have been detained for distributing extremist materials. Most***

**cases of prosecution for storing extremist materials are related to Hizb ut-Tahrir materials.**

*At the same time, according to the data provided by the Supreme Court of the Kyrgyz Republic in 2016, ethnic Uzbeks comprised over a half of those convicted of terrorist or extremist crimes (136 out of 252, including 213 convicted under Article 299-2 CC). According to the Ministry of Internal Affairs data presented in the Human Rights Watch report, the majority of extremist crimes in 2017 were reported in the south of the country, with Osh and Jalal-Abad regions accounting for 40% of the cases detected.* » Source: SOVA center for information and analysis, Anti-Extremist Policies in Russia, Kazakhstan, the Kyrgyz Republic and Tajikistan. Comparative Review, 2020, p.33-34, 41: [www.sova-center.ru/files/books/wg-4-2020-eng.pdf](http://www.sova-center.ru/files/books/wg-4-2020-eng.pdf).

USDOS, 16 décembre 2021:

*« There were no reports in 2020 of the government using CT laws to prosecute political opponents, although human rights observers note that courts sometimes stretch the definition of “intent to distribute” violent extremist material in a way to circumvent the 2019 decriminalization of possession of such materials. [...]*

**Authorities reported several “extremism” – or terrorism-related arrests in 2020, including of individuals accused of recruiting Kyrgyz citizens to fight in Syria. [...]**

*The Kyrgyz government’s national program and action plan on countering terrorism was in its third year of implementation in 2020. The government has done little to counter terrorist radicalization and recruitment. Civil society organizations have expressed concerns that the government used the national program and action plan to muzzle free speech and to stigmatize members of ethnic minority groups. Human rights NGOs reported that security services used laws pertaining to so-called extremist materials on the internet to disproportionately target for prosecution ethnic Uzbeks, especially those who followed social media accounts focused on Islam.* » Source: US Department of State (USDOS), Country Report on Terrorism 2020 - Chapter 1 - Kyrgyz Republic, 16 décembre 2021: [www.ecoi.net/de/dokument/2065411.html](http://www.ecoi.net/de/dokument/2065411.html).

USDOS, 30 mars 2021:

*« While the law prohibits arbitrary arrest, it continued to occur. Human rights organizations reported that authorities unfairly targeted and arrested ethnic Uzbeks for alleged involvement in banned religious organizations and for alleged “religious extremism activity.” While police have reduced arrests of ethnic Uzbeks for possession of “extremist materials” after a change in the extremism law in 2019, NGOs report that security services have shifted to online monitoring of social media accounts, and arresting ethnic Uzbeks who were alleged to be associated with “extremist groups.” Attorneys reported that police frequently arrested individuals on false charges and then solicited bribes in exchange for release. [...]*

**Press reported arrests of individuals suspected of involvement in the banned extremist group Hizb ut-Tahrir; such arrests continued a trend that began in 2014. According to**



***Bir Duino, however, corruption within the law enforcement system motivated some arrests. Civil society alleged police entered homes falsely claiming to have a search warrant, planted banned Hizb ut-Tahrir material, and arrested the suspect in the hope of extracting a bribe to secure release.***

*Both local and international observers said the GKNB and law enforcement officers engaged in widespread arbitrary arrests, including some alleged to be politically motivated; detainee abuse; and extortion, particularly in the southern part of the country. [...]*

*The government continued to maintain bans on 21 “religiously oriented” groups it considered to be extremist, including al-Qa’ida, the Taliban, the East Turkestan Islamic Movement, the Kurdish People’s Congress, the Organization for the Liberation of Eastern Turkistan, Hizb ut-Tahrir, the Union of Islamic Jihad, the Islamic Movement of Uzbekistan, the Unification (Mun 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, Jamaat al-Tawhid wal-Jihad, and Yakyn Incar. Authorities also continued the ban on all materials or activities connected to A. A. Tihomirov, also known as Said Buryatsky.*

***Numerous human rights activists reported continued arrests and prosecution of persons accused of possessing and distributing Hizb ut-Tahrir literature (see section 1.d.). Most arrests of alleged Hizb ut-Tahrir members occurred in the southern part of the country and involved ethnic Uzbeks.*** » Source: US Department of State (USDOS), 2020 Country Report on Human Rights Practices: Kyrgyzstan, 30 mars 2021: [www.ecoi.net/en/document/2048423.html](http://www.ecoi.net/en/document/2048423.html).

USDOS, 10 juin 2020:

***« On June 19, officers of the State Committee on National Security (GKNB) and the Interior Ministry detained six members of the organization Hizb ut-Tahrir in the At-Bashi District of Naryn Oblast (province).***

*The government maintained its bans on 21 “religiously oriented” groups it considered to be extremist, including: al-Qaida, the Taliban, Islamic Movement of Eastern Turkistan, Kurdish Peoples’ Congress, Organization for the Release of Eastern Turkistan, Hizb ut-Tahrir (HT), Union of Islamic Jihad, Islamic Party of Turkistan, Family Federation for World Peace and Unification (Unification 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, Jamaat al-Tawhid wal-Jihad, and Yakyn Incar. Authorities also continued to ban all materials or activities connected to the Chechen Islamist militant leader A.A. Tihomirov (aka Said Buryatsky), whose activities and materials the Bishkek District Court deemed to be extremist in 2014.*

***According to open sources, extremism arrests dropped significantly after the change to extremism laws in January, with six arrests reported in the press during the year, compared with 213 the previous year. Official government statistics were not available. Extremist incidents included membership in a banned “religiously oriented” organization, distribution of literature associated with a banned organization, and proselytizing on behalf of or financing a banned organization. The GKNB reported that, during the first nine months of the year, 399 pieces of extremist materials were seized by the government,***

**but that criminal cases were not initiated due to the changes to the extremism law. Ethnic Uzbeks said that the police targeted and harassed them, usually in connection with the possession of banned religious literature or support of banned organizations, which they said was based on false testimony or planted evidence.** Leadership of two Christian denominations reported that both the SCRA and the GKNB made unannounced visits to their places of worship, under the guise of preventing extremism, in which they demanded that churches present their financial records and religious texts. » Source: US Department of State (USDOS), 2019 Report on International Religious Freedom: Kyrgyz Republic, 10 juin 2020: [www.ecoi.net/en/document/2031347.html](http://www.ecoi.net/en/document/2031347.html).

USIP, octobre 2014:

« **Although Hizb ut-Tahrir members rarely engaged in violence, Kyrgyzstan followed all of the other countries in Central Asia as well as Russia and China and banned the movement in 2006 on grounds that it preaches the overthrow of the secular government. All of the region's governments are concerned about Hizb ut-Tahrir's ideological and operational alliances with militant groups abroad. For example, a Hizb ut-Tahrir leader once stated that "[our] aims and the IMU are for the Caliphate in Central Asia, but the ways to achieve a Caliphate are different just as one doctor might use surgery while another uses herbs."** Hizb ut-Tahrir is also supporting the al-Qaeda affiliate Jabhat al-Nusra in Syria, which may facilitate Hizb ut-Tahrir's role in recruiting Kyrgyz citizens for the war in Syria.

*For Kyrgyz and other Central Asians who are interested in religion but have little knowledge about it because of the Soviet legacy of enforced atheism, Hizb ut-Tahrir's claim of religious purity provides an attractive model. In addition, the group's promotion of state-owned services and resources, such as public transport, health care, farmland, and "guaranteed employment for all citizens," has appealed to "born-again Muslims" who rekindled their faith in the post-Soviet era. However, Hizb ut-Tahrir's appeal has been particularly strong for Uzbeks in southern Kazakhstan and southern Kyrgyzstan. This demographic group is attracted to the vision of a society that does not emphasize ethnicity, as well as to the prospect of a single Islamic state in Central Asia that would amalgamate Uzbeks with their compatriots in Uzbekistan and make Uzbeks the plurality in that state. Approximately 40 percent of Central Asians are Uzbeks. This is perhaps the main reason that Hizb ut-Tahrir recruitment saw a major uptick in recruitment in southern Kyrgyzstan after the alienation Uzbeks in the region felt in 2010.*

*However, since 2010, Hizb ut-Tahrir has also for the first time become active in recruiting in majority ethnic Kyrgyz areas of northern Kyrgyzstan. The lack of credible religious leaders to counter Hizb ut-Tahrir's ideology is one reason for the movement's success in northern Kyrgyzstan. The state religious institutions that do function are largely perceived as corrupt and an ineffective counterweight to Hizb ut-Tahrir. Since 2010, Kyrgyzstan has replaced its Grand Mufti six times, the fourth deposed in 2012 on tax-evasion charges and the fifth in 2014 after a video showed him engaging in sexual acts with a teenage woman on New Year's Eve.*

*Hizb ut-Tahrir's focus on recruiting women in Kyrgyzstan is significant. The movement believes that Central Asian women are the center of the family and can easily convince relatives to join and pass membership directly to their children. Women are also less likely to be suspected of spreading extremist messaging and can substitute for husbands*



**who labor in Russia or are in prison. As of 2013, it was reported that nearly 10 percent of Hizb ut-Tahrir's approximately forty thousand members in Kyrgyzstan were women and that the group offered financial stipends for unemployed women or women with multiple children whose husbands were absent. Nonetheless, women who have defected from Hizb ut-Tahrir report that the male amirs (leaders) offer no opportunities for women to contest the movement's ideology, including its position that millions of Muslims and non-Muslims may need to be killed to create a Caliphate or that women must abide by conservative dress codes and cover themselves from head to toe. »** Source: United States Institute of Peace (USIP), Preventing Violent Extremism in Kyrgyzstan, octobre 2014, p.5-6: [www.usip.org/sites/default/files/SR355\\_Preventing-Violent-Extremism-in-Kyrgyzstan.pdf](http://www.usip.org/sites/default/files/SR355_Preventing-Violent-Extremism-in-Kyrgyzstan.pdf).

Xinhuanet, 12 octobre 2021:

**« Kyrgyzstan detained six members of the Hizb ut-Tahrir religious extremist organization in the southern town of Kyzyl-Kiya, the country's State Committee for National Security reported Monday.**

**The special services found that the detainees held religious classes to promote extremist ideology and organized monthly "gatherings" for its members near the town of Kyzyl-Kiya.**

*The security forces also searched and seized extremist books, brochures, leaflets and other materials. »* Source: Xinhuanet, 6 extremist members detained in Kyrgyzstan, 12 octobre 2021: [www.news.cn/english/2021-10/12/c\\_1310240507.htm](http://www.news.cn/english/2021-10/12/c_1310240507.htm).

L'Organisation suisse d'aide aux réfugiés OSAR est l'association faîtière nationale des organisations suisses d'aide aux réfugiés. Neutre sur le plan politique et confessionnel, elle s'engage pour que la Suisse respecte ses engagements en matière de protection contre les persécutions conformément à la Convention de Genève relative au statut des réfugiés. Les activités de l'OSAR sont financées par des mandats de la Confédération et par des dons de particuliers, de fondations, de communes et de cantons.

Vous trouverez les publications de l'OSAR sur le Kirghizistan ainsi que sur d'autres pays d'origine de requérant-e-s d'asile sous [www.osar.ch/publications/rapports-sur-les-pays-dorigine](http://www.osar.ch/publications/rapports-sur-les-pays-dorigine).

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