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KAZAKHSTAN: Small religious communities "banned under new Law"

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

Kazakhstan's senior state religious affairs official, Kairat Lama Sharif, has described the 13 per cent fall in the number of registered religious communities as a "positive dynamic" after 579 small religious groups (with fewer than 50 adult citizen members) were stripped of registration. He said the number of registered communities "will probably" fall further following the new Religion Law. In a letter seen by Forum 18 News Service, Akmola Region's senior state religious affairs official wrote to District officials that "the activity of small religious groups in the territory of Kazakhstan is now banned since there is no such form of religious association of citizens". Regional officials of the state Agency of Religious Affairs are now warning such groups that they must stop any activity. Imams of independent mosques and Grace, Baptist and Seventh-day Adventist leaders have been summoned to be stripped of registration and warned not to meet. "Now our believers are afraid each time they gather for worship," one church leader told Forum 18.

In a bid to reduce the number of legally existing religious organisations, Kazakhstan's authorities have cancelled the registration of 579 "small religious groups" across the country, so depriving them of the right to exist. Officials are also making efforts to stop their activity, Forum 18 News Service has learnt. For example, earlier in February, Departments of the Agency of Religious Affairs (ARA) in Karaganda and Akmola Regions sent letters – which Forum 18 has seen – to the Internal Policy Departments (IPD) of all District Administrations in these regions demanding that they strip the small religious communities of their registration certificates, and warn them that they must immediately stop all their activity.

Officials are basing their demands on the harsh new Religion Law adopted in October 2011 which – in defiance of Kazakhstan's international human rights obligations – bans all unregistered exercise of freedom of religion or belief (see F18News 23 September 2011 http://www.forum18.org/Archive.php?article_id=1617).

Following the ARA's action, heads of IPDs of several Districts in these regions, in their turn summoned the leaders of such communities and demanded that they stop their activity. In Bulandy District of Akmola Region, the District IPD pressured Mosques, Seventh-day Adventist and Baptist communities (the number unknown) to hand back their registration certificates. Kulyan Seydahmetova, Head of Bulandy IPD, told Forum 18 on 21 February that these small communities are "banned under the new [Religion] Law, and must not continue activity until they re-register as legal entities".

Affected religious communities

Gaukhar Alkeyeva, the legal representative of Central Grace Presbyterian Church in Karaganda, and Pastor Oleg Vlasenko of the Seventh-day Adventist Church in Astana told Forum 18 that their branches – registered as small religious communities - in Akmola and Karaganda, received official warnings to stop their activity and hand back their registration certificates.

Similarly Pastor Franz Thiessen, Head of Kazakhstan's Baptist Union, told Forum 18 that their small communities across the country also received warnings. But he did not want to identify these communities for fear of state reprisals.

In one case in Karaganda Region known to Forum 18, a religious community registered as a legal entity – Abai District Mosque which is independent from the state-backed Muslim Board – also received a written warning in January from the regional ARA Department to re-register by 14 February. Serik Tlekbayev, Head of the region's ARA Department, warned the Mosque's Imam, Nurmuhammed Ahmedyanov, that if he does not comply with the official warning, the ARA Department will close the Mosque down (see F18News 29 February 2012 http://www.forum18.org/Archive.php?article_id=1673).

Officials threatened before the new Religion Law was adopted to close down independent Mosques (see F18News 16 September 2011 http://www.forum18.org/Archive.php?article_id=1613).

Kazakhstan has long fined leaders and members of religious communities which meet without registration. Administrative punishments were widened and increased under an Amending Law adopted at the same time as the harsh new Religion Law (see

ARA officials demand that activity is halted

Forum 18 has learnt that ARA Departments in at least two of Kazakhstan's Regions - Akmola and Karaganda - issued warnings in February that small religious communities must hand back their registration certificates to the Internal Policy Departments and immediately stop their activity.

Saule Ibrayeva, Chair of Akmola Region's ARA Department, sent a written warning on 7 February to the Heads of Administrations of the Region's Districts and their officials overseeing religious organisations. The letter, signed by Ibrayeva and seen by Forum 18, demands that they cancel the registration of small religious groups and explain to the leaders of these groups that "they must hand back their certificates of registration and stop their activity immediately".

Ibrayeva claims in the letter that based on the new Religion Law, which entered into force in October 2011, "the activity of small religious groups in the territory of Kazakhstan is now banned since there is no such form of religious association of citizens" defined by the current Law.

Ibrayeva defended her warning. "We have a new Law," she told Forum 18 on 15 February from Kokshetau, the central City of Akmola, "And as it does not allow for the existence of religious associations which have fewer than fifty members, then they should either re-register with fifty members or stop their activity as a religious association."

Ibrayeva categorically excluded that the small groups can continue their worship while they are preparing their documents for re-registration. She rejected suggestions that the Law allows them to continue their activity until 25 October, the re-registration deadline. "Until re-registration they can pray in their homes alone, why should they gather together as groups?" she said.

Asked, for example, how Christians belonging to a small group can administer the Eucharist (a worship service in many churches involving an ordained priest or minister) to themselves or how they can preach to themselves alone at home, Ibrayeva responded: "This is the Law and everybody must obey it. This is not Norway, this is Kazakhstan. We have our own Laws."

Told that there are religious groups such as the Council of Churches Baptists who on principle refuse to register with the State, since they consider compulsory state registration interference in their faith, Ibrayeva told Forum 18: "Yes, I know, and our Police and state agencies are struggling with them with all possible means to make them obey our Laws."

Asked whether it is not a violation of religious believers' rights when the state prevents them from gathering for unregistered worship, Ibrayeva refused to answer and put the phone down.

A similar written warning to the small communities was signed by Serik Tlekbayev, Chair of Karaganda Region's ARA Department, which was read to Pastor Vyacheslav Melnik at the Internal Policy Department of the Region's Shaktinsk District, Alkeyeva of the Grace Church told Forum 18 on 15 February. Melnik is the Pastor of Grace Church in Shakhan village of the District.

"Melnik was told that it is illegal for those groups to gather for worship now," Alkeyeva said. "Now our believers are afraid each time they gather for worship."

Tlekbayev in a separate letter, signed by him on 11 January, warned Ahmedyanov, the Imam of the Abai District Mosque, that if he does not re-register the Mosque by 14 February, it would be closed down (see F18News 29 February 2012 http://www.forum18.org/Archive.php?article_id=1673).

Karlygash Akhmetova, Chief Specialist of Karaganda ARA Department, on 16 February refused to put Forum 18 through to Serik Tlekbayev, the Head of the Department, saying that she could answer Forum 18's questions.

However, Akhmetova refused to comment on why her ARA Department demanded the authorities to cancel registrations of small communities and strip them of their registration certificates. "We are a state agency, and we are subject to the state organs over us," she responded. To Forum 18's question whether this meant that the instructions to send the warning to the authorities and the religious communities came from the ARA in Astana, she responded: "Who are you, and who gives you the right to ask these questions?"

Asked why her Department is putting pressure on the Abai Mosque to re-register, and why it was asked to do so by 14 February, Akhmetova responded with what sounded like a sneer in her voice: "Like a child you keep asking why, why." She refused to answer Forum 18's further questions and put the phone down.

Internal Policy Departments act on warnings

IPDs in Akmola and Karaganda Regions - acting on the warnings of the ARA Departments - have summoned Grace, Adventist and

Baptist Church and some independent Mosque leaders to deliver official warnings to them.

Pastor Vlasenko of the Adventist Church in Astana said that despite the official warnings their community in Akmola Region's Bulandy District will continue its worship. "We went there, talked to our pastor and the local authorities, and found out that they demanded that he hand back the registration certificate, which he did," he told Forum 18 on 21 February.

Pastor Vlasenko said that when they complained to the ARA in Astana about the actions by their local officials, the ARA told them that "what the Internal Policy Department did was illegal, but that the Church there must re-register".

Kulyan Seydahmetova, Head of Bulandy District IPD, told Forum 18 on 21 February that 11 small religious groups registered by them, including the Adventist Church, have "all stopped their activity since the new Law bans their activity". She said that Muslim, Baptist and Adventist community leaders visited her Department and that she warned them that they must stop their activity. Seydahmetova would not say how many Mosques or Churches exactly were warned.

Asked whether she knows if the communities stopped their worship services, Seydahmetova said that she and her officials "regularly visit these communities and check up on their activity".

Gulnar Bakpanova, Head of Akkol IPD also in Akmola Region, told Forum 18 on 20 February that she summoned all small communities, including the Grace Church and two new Mosques' leaders to explain the official warning to them. She said that the Mosques will probably register under the state-sponsored Muslim Board.

End to small groups' simplified registration

Under the old Religion Law from 1993, religious communities were registered either as legal entities under the Ministry of Justice or as small Religious Groups without legal status under District IPDs. The latter form of registration was a simplified one designed to notify the District authorities of a religious community's existence in their territory.

Despite the pressure of the authorities on religious communities to stop activity immediately and the provision of the new Religion Law requiring all communities to re-register by 25 October, and despite the fact that over four months have passed since the new Law came into force, no Regulations for re-registration have been adopted.

Fall in number of communities "a positive dynamic"

Kairat Lama Sharif, Chair of the ARA, appeared to welcome the 13 per cent fall in the number of registered religious organisations over the past year, calling it "a positive dynamic in the systematisation of the total number of religious associations". He told a meeting of ARA officials in Astana on 3 February that as a result of the new Law and other activity, 579 small religious groups were closed down.

He said that as of 1 January 2011, there had been 4,551 registered religious organisations in Kazakhstan. This has now fallen by 579, or 13 per cent, leaving 3,972 registered organisations now.

Lama Sharif added that this number "will probably" decrease, the newspaper *Kazakhstanskaya Pravda* quoted him as declaring the following day. All depends on whether or not these organisations will re-register by 25 October. If not, they will be closed down by the courts.

Religion Law "must be clearly executed"

The 3 February ARA meeting was called to discuss state policies on religion, including "how to organise close ties with religious organisations and how to put barriers to the influence of destructive religious movements," he reported.

Mukhtar Kul-Muhamed, Kazakhstan's State Secretary, representatives of Regional ARA Departments as well as Yuliya Denisenko, Chair of the Association of Centres for Work with Victims of Destructive Religious Movements (so-called "anti-sect centres"), also participated in the meeting.

The state is giving increasing attention to the subject of religion and society in the recent years, he said. The ARA is very active and its main aim is the preservation of stability in the society, he claimed.

State Secretary Kul-Muhamed told the ARA staff that "the Religion Law and related Regulations must be clearly executed", adding that "religious terrorism and extremism must be prevented".

Drafts of Regulations to implement the Religion Law – such as censorship regulations which break Kazakhstan's international human rights commitments – exist, but none have yet been promulgated (see F18News 24 November 2011)

http://www.forum18.org/Archive.php?article_id=1639).

Does the Law ban small communities?

Asked which provision of the Law bans small groups, Seydahmetova of Bulandy District IPD said that Article 1 defines forms of religious activity. "No such form of activity is defined there," she claimed, "therefore these groups cannot exist in this form, and in order to be able to continue activity they must re-register as legal entities."

Told that members of these communities are unlikely all of a sudden to lose their faith and stop their worship, and asked why the communities cannot continue their peaceful worship until they receive re-registration, Seydahmetova said: "It's the Law, and the communities must obey it."

What further measures will the authorities take?

Pastor Vlasenko said that the local Pastor already has submitted a letter to the Bulandy authorities saying that he is the Astana Adventist Church's missionary. "And so we will continue on that basis until we decide the future status of the Church."

Asked what measures the authorities will take against communities which continue gathering for worship, Seydahmetova said: "We do not recommend them to do so." When Forum 18 insisted with the question, she responded: "I cannot tell you."

Grace Church's small communities in Akmola and Karaganda Regions also were told by the Central Church in Karaganda to continue worship despite the fact IPDs of Akmola Region's Akkol, Arshaly Districts and Karaganda Region's Shakhtinsk District demanded that the leaders of those communities hand back their registration certificates, and warned them to stop all activity.

"We advised our communities not to hand back their certificates, and continue worship," Alkeyeva said. "However, we are worried about possible punishments from the authorities." She said that in Shakhtinsk alone, Shakhan village Grace Church has up to twelve small groups in various nearby villages.

Who will enforce new ban?

Sandugash Nurmaganova, Head of Shakhtinsk IPD, told Forum 18 on 17 February that she has no competence to strip religious communities of their registration certificates or even warn them. But she said that they summoned the communities to "explain the new situation with the Law, and that they must re-register now". Asked what further measures will be taken if the communities continue worship, she referred Forum 18 to Karaganda ARA Department.

Similarly Fatima Nakohova, Head of Arshaly IPD, and Bakpanova of Akkol IPD in Akmola Region, both said that Internal Policy Departments do not have the authority to take measures against religious communities, but that it is the law-enforcement agencies which may take any measures. However, Bakpanova declared categorically said that such communities "must not continue".

Nakohova on 20 February told Forum 18 that in their District the Prosecutor's officials have warned small religious communities.

However Kanybek Tukhsanbayev, Deputy Prosecutor of Arshaly, denied this. "We have not warned any religious communities and will not take measures against them," he told Forum 18 on 21 February. "It is the responsibility of the ARA Department."

First known victim appeals

Aleksei Asetov, the leader of an unregistered Council of Churches Baptist congregation in Ekibastuz, became the first known victim of the increased Administrative Code penalties for religious activities. A shoe-repairer and father of ten, he was fined 485,400 Tenge (18,725 Norwegian Kroner, 2,486 Euros or 3,273 US Dollars) on 8 February. Local people estimated this to Forum 18 as equivalent to 18 months' average local wages (see F18News 14 February 2012 http://www.forum18.org/Archive.php?article_id=1666).

Pavlodar Regional Court accepted his appeal on 16 February. "We are waiting for the Court to tell us when the appeal hearing will take place," Asetov told Forum 18 on 17 February. He said his church had not been "disturbed" by the authorities in recent days.

Officials of Pavlodar Regional Court's Chancellery told Forum 18 that Asetov's complaint, which he gave to Ekibastuz Court, reached the Regional Court on 21 February. They said that the Court has ten days to hear the case.

ARA Press-Service plays down concerns

Forum 18 was unable to reach Lama Sharif on 20 February. His secretary – who did not give her name - said that he was "busy in a meeting" and referred Forum 18 to Svetlana Penkova, Head of ARA's Press Service.

In contrast to Lama Sharif's claim of 579 closed-down communities, Penkova told Forum 18 on 20 February that small communities

must re-register as legal entities but claimed that no such community had been closed down. Told about the contradiction between Lama Sharif's statement and her own claims, she told Forum 18 that she could not comment on that.

Told that four months had already passed since the entry into force of the Law, and that no regulations for re-registration were in place, and asked on what basis the authorities put pressure on the communities to re-register immediately, Penkova took down notes of the affected communities and said: "We will have to look into these cases."

Asked by Forum 18 when the regulations will be adopted and published, Penkova was laconic: "Very soon." Asked whether this will be done in a few days, few weeks or few months, she said that she does not know.

Religious communities concerned

Members of Grace Presbyterian, Adventist and Baptist Churches complained to Forum 18 of the pressure put on their small communities to re-register, and said that they cannot re-register until Regulations are adopted. They also voiced their concern that only a very short time will be left for re-registration after the Regulations will have been adopted. They fear this might allow the authorities to close down their communities.

Some communities are also not sure that they will be able to collect the fifty required signatures now needed to register or re-register the lowest level of community since they either do not have fifty adult citizen members or – through fear of possible pressure - enough of them prepared to give their personal data to the authorities.

Aleksandr Klyushev, Head of Association of Religious Organisations of Kazakhstan (AROK), told Forum 18 on 15 February from Astana that he shares these concerns. He pointed out that the new Religion Law allows religious groups and associations to make amendments to their charters and re-register with the authorities within one year of the Law's entry into force, until 25 October 2012. "Why should they stop their activity?" he asked. "Some of these groups will be able to get fifty members as founders by then and re-register as legal entities." (END)

For a personal commentary on how attacking religious freedom damages national security in Kazakhstan, see F18News http://www.forum18.org/Archive.php?article_id=564.

For more background, see Forum 18's Kazakhstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1352.

More reports on freedom of thought, conscience and belief in Kazakhstan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=29>.

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

A printer-friendly map of Kazakhstan is available at <http://education.nationalgeographic.com/education/mapping/outline-map/?map=Kazakhstan>.

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