

17 August 2015

KAZAKHSTAN: Why do authorities close public prayer rooms?

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

Muslims who used the prayer room at a Shymkent market were "of course" unhappy when Shymkent City Administration and the local National Security Committee (KNB) secret police closed it in early July, a source at the market told Forum 18 News Service. Officials gave the Muslims no reasons for the enforced closure. Kanat Kalybekov of the Internal Policy Department of the City Administration claimed to Forum 18 that "there was no prayer room in the market officially". Shymkent KNB denied any involvement in its closure. Officials have closed prayer rooms in many public buildings – including colleges, prisons, hospitals and airports – since the harsh 2011 Religion Law was adopted. Prayer rooms at Aktau and Atyrau Airports were closed in 2014. Students at Nazarbayev University in Kazakhstan's capital Astana are banned from exercising freedom of religion or belief. "There are no prayer rooms in the University, and we warn new students at admission that if they want to pray they can only do so in their dormitory room alone," Askhad Bekzhanov, Chief of the University's Department of Student Affairs, told Forum 18.

In South Kazakhstan Region in early July, Shymkent City Administration and the local National Security Committee (KNB) secret police closed a Muslim prayer room at the Avtonur open air market, sources from the market who wished to remain unnamed for fear of state reprisals confirmed to Forum 18 News Service on 13 August. Officials gave the Muslims who prayed there no reasons for the enforced closure, sources added. "They are of course unhappy about the closure."

The enforced closure of the prayer room by the administration and the KNB secret police was first mentioned by Nur.kz news agency on 14 July. The agency noted that one angry local resident was arrested after threatening to blow up both institutions in retaliation for the enforced closure.

The authorities have systematically been closing or trying to close prayer rooms and chapels in public buildings, including colleges, prisons, hospitals, care homes, airports and administrative buildings. Such enforced closures appear to have begun following the adoption of the harsh new Religion Law in October 2011, and despite protests from Muslims, Russian Orthodox and others (see F18News 15 November 2011 http://www.forum18.org/archive.php?article_id=1636).

Indeed, the then chair of the government's then Agency of Religious Affairs, Kairat Lama Sharif, told parliament on 8 September 2011 as it began considering the harsh new Religion Law: "Prayer rooms in state institutions, educational establishments, hospitals and military units will no longer exist."

"There was no prayer room in the market officially"

Avtonur market, where the prayer room was closed down, is a major trading venue in Shymkent where clothes, car parts and other items are sold.

On the morning of 8 July, a man was arrested allegedly for threatening Shymkent City Administration that he will "blow up the buildings of the City Administration and KNB secret police unless they re-open it", South Kazakhstan Regional Court announced. Abdrakhmanov (first name not given) noticed that morning that the prayer room had been closed down, and allegedly made the call to the Administration from a mobile phone. Shymkent's Al-Farabi District Court ordered he be held for two months in pre-trial detention while an investigation proceeds under Criminal Code Article 273 ("filing a false report on a terrorist act").

Asked by Forum 18 on 12 August why the prayer room was closed, Kanat Kalybekov, Head of the Internal Policy Department of the City Administration, responsible for the Administration's religious policy, tried to avoid the question. "Well, there was no prayer room in the market officially, and the man who made the call was drunk."

When Forum 18 repeated the question as to why officials closed the prayer room, Kalybekov insisted: "The market workers used a room in the territory of the market as a prayer room unofficially." Asked why the authorities deprived them of the room for prayers, he claimed: "I actually don't know whether or not there was a prayer room at all." He then refused to explain why he was giving contradictory comments or to speak further with Forum 18.

The duty officer at Shymkent City Department of the KNB secret police (who did not give his name) claimed to Forum 18 on 12

August that the KNB was "not involved" in the prayer room's closure. Told that the local media wrote about its role and that sources from the market confirmed it to Forum 18, he responded: "We are not going to give you information over the phone. Please, come to our office in Shymkent."

Nazarbayev University "cannot allow religious activity"

The authorities reportedly sought to close the prayer room at Nazarbayev University in the capital Astana, sources in the city told Forum 18. University staff then began long negotiations with officials, and eventually a compromise was reached where the prayer room became a "reflection room". The room was reportedly used for some other purposes as well as "reflection". However, it appears this compromise no longer allows for prayers.

"There are no prayer rooms in the University, and we warn new students at admission that if they want to pray they can only do so in their dormitory room alone," Askhad Bekzhanov, Chief of the Department of Student Affairs at the University, told Forum 18 on 20 August.

Asked why students cannot pray in the main buildings of the University but only in the dormitory, and then only alone without the participation of their fellow students, Bekzhanov replied: "We are a secular University, we cannot allow religious activity in our premises." He added that "We do not encourage our students to become involved in religious activity, but rather to focus on their studies."

Asked if this does not violate students' freedom of religion or belief, Bekzhanov claimed: "Absolutely not. According to our Religion Law it is illegal to hold religious activity in secular educational institutions, and we follow the Law."

The University website notes that "In the dormitories, each block of flats for students are controlled and supervised by special employees to eliminate any housing problems that might arise."

Lyazzat Arykbayeva, the University's chief official overseeing dormitories, confirmed that students can only pray alone in their dormitory rooms, and that there are no prayer rooms in the University. "We never meant to have prayer rooms," she insisted to Forum 18 on 17 August. "We absolutely do not allow students to use their rooms for religious activity with others."

Asked if these restrictions do not violate students' rights to freedom of religion or belief, she referred Forum 18 to Bekzhanov, stressing that "he is responsible for moral and educational issues".

Regional airport prayer rooms long closed

At least two of Kazakhstan's regional airports which had prayer rooms – in Aktau [Aqtau] and Atyrau, both on the Caspian Sea – had them closed in 2014, officials of the airports confirmed to Forum 18.

"Management closed the prayer room more than a year ago, but didn't give a reason," the Information Bureau of Aktau Airport told Forum 18 on 17 August. "There were cases when passengers were dissatisfied at the decision, but not often." Similarly, an official of Atyrau Airport said she had no information about why the prayer room there had been closed in 2014.

When he opened Atyrau Airport's prayer room in September 2008, the Regional Imam Kazbek-kazhi Akhmetov told the Inform.kz website that "it is particularly pleasant that the namazkhana [prayer room] was opened during the month of Ramadan sacred to Muslims".

Three airports with international flights - in Astana, Almaty and Karaganda [Qaraghandy] - still have one prayer room in the international departures section of each, airport officials confirmed to Forum 18. Astana Airport previously had three prayer rooms, one each in international and domestic departures and one in arrivals. "There is no longer a prayer room in the arrivals section," an official told Forum 18 on 17 August. She was unable to say when or why the prayer rooms had been closed.

Fined again for not paying earlier fine

North Kazakhstan Regional Justice Department, responsible for the execution of court decisions, brought a case against Yevgeni Lyakhov, member of a Baptist church in the village of Novoishim. They were seeking to punish him for refusing to pay a fine imposed in April 2014 for exercising the right to freedom of religion or belief. Lyakhov had been fined 185,200 Tenge for "illegal religious activity" (see F18News 22 April 2014 http://www.forum18.org/archive.php?article_id=1950).

Lyakhov's congregation, like other congregations of the Council of Churches Baptists, refuses to seek state permission to exercise the right to freedom of religion or belief. Members of the Council of Churches are frequently fined for meeting for worship without state registration. They operate a policy of civil disobedience, refusing to pay fines as they do not consider they should be fined for meeting for worship.

Those refusing to pay have been imprisoned for up to 15 days. One Baptist, Nikolai Novikov, even faced the prospect of criminal prosecution, though officials have said the case will be closed (see F18News 17 July 2015 http://www.forum18.org/archive.php?article_id=2082).

Many Council of Churches Baptists have also been placed on the Justice Ministry's register of those unable to leave the country for refusing to pay fines for exercising the right to freedom of religion or belief (see F18News 17 April 2015 http://www.forum18.org/archive.php?article_id=2056).

Because of his refusal to pay the 2014 fine, Lyakhov too was listed on the exit ban list.

On 29 July 2015, Judge Talgat Imanalin of Gabit Musrepov District Court found Lyakhov guilty under Administrative Code Article 669 ("failure to fulfil a court decision"). The Judge fined him the designated fine for individuals under this Article, 10 Minimum Financial Indicators (MFIs) or 19,820 Tenge (865 Norwegian Kroner, 95 Euros or 105 US Dollars). The court decision, seen by Forum 18, notes that Lyakhov told the Court that he could not pay the fine "since I do not have the money".

In contrast to what the Court decision claims on why he did not pay the earlier fine, Lyakhov told Forum 18 on 17 August that "I do not remember saying that I didn't pay the fine because I don't have the money." He had not paid "because I don't believe that I violated the Law," he insisted. "It is my lawful right to practice my faith peacefully without the interference of the authorities."

In early August, Lyakhov filed an appeal to the Regional Court, he told Forum 18. However, he has not so far received notification when the hearing will be. "We as Baptists are peaceful citizens and believers. We do not disturb anyone with our religious activity, and do not understand why Kazakhstan imposes such heavy restrictions on us," he lamented.

Lyakhov "must pay the new fine and the earlier fine"

District Court officials referred Forum 18 on 11 August to Chair of the Court Zhasulan Kabysh. His Assistant, Yerken Sharshenbayev claimed to Forum 18 on 11 August the Chair is "busy," and cannot speak to Forum 18.

Sharshenbayev insisted to Forum 18 that the Court decision means that Lyakhov "must pay the new fine and the earlier fine." Asked what measures the authorities will take if he still refuses to pay the fines, Sharshenbayev refused to say. "I am not authorised to give further comments," he said, and asked Forum 18 to send an official letter.

Lyakhov's fellow Baptists told Forum 18 that the authorities "may confiscate Yevgeni's property towards payment of the fines".

As well as putting individuals on the exit ban list, court bailiffs have in the past seized or put restraining orders on cars, furniture, washing machines and even a calf in response to unpaid fines (see F18News 17 June 2014 http://www.forum18.org/archive.php?article_id=1970). (END)

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>.

For more background, see Forum 18's Kazakhstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1939.

For a personal commentary from 2005 on how attacking religious freedom damages national security in Kazakhstan, see F18News http://www.forum18.org/Archive.php?article_id=564.

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.

Follow us on Twitter @Forum_18 (http://twitter.com/forum_18)

Follow us on Facebook @Forum18NewsService (<http://www.facebook.com/Forum18NewsService>)

All Forum 18 text may be referred to, quoted from, or republished in full, if Forum 18 is credited as the source.

All photographs that are not Forum 18's copyright are attributed to the copyright owner. If you reuse any photographs from Forum 18's website, you must seek permission for any reuse from the copyright owner or abide by the copyright terms the copyright owner has chosen.

© Forum 18 News Service. All rights reserved. ISSN 1504-2855.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY