

5 April 2024

KAZAKHSTAN: List of 203 known 2023 administrative prosecutions

By Felix Corley, Forum 18 (<https://www.forum18.org>)

The 203 known administrative prosecutions in 2023 for exercising freedom of religion or belief are listed here. More than one third punished individuals for posting religious materials on social media without state permission. A quarter punished individuals for offering religious literature for sale - in shops or online - without state permission. One individual and one charity were prosecuted for having religious books, although this is not an offence. The Culture and Information Ministry (of which the Religious Affairs Committee is a part) claimed wrongly that there were only 139 such cases in 2023.

The regime is known to have brought at least 203 administrative prosecutions in 2023 - an average of 17 per month - to punish individuals and organisations for their exercise of freedom of religion or belief. This is the highest level of prosecution since 2017. Of these, 172 ended with convictions and punishments. Almost all of the punishments included fines of between several days' and several months' average wages.

A third of the 2023 cases (https://www.forum18.org/archive.php?article_id=2900) were (as in previous years) to punish individuals for posting religious messages, texts and recordings on their social media accounts without state permission (see full list below).

The next biggest set of cases (as in previous years), nearly a quarter of the 2023 total, punished individuals for offering religious literature for sale without state permission, either in shops or online (see full list below).

Just as in 2022, prosecutions were in 2023 brought for having religious books, although this is not an offence. One charity was acquitted, but an individual was fined (see full list below).

Commercial and private sellers, as well as Muslims, Jehovah's Witnesses and Protestants, were among the individuals targeted in these prosecutions. Also targeted were business and charities. In one case, a religious picture seized from an individual offering it for sale online was ordered destroyed. Unlike in previous years, courts in 2023 are not known to have ordered religious literature to be destroyed (see full list below).

Muslims from the Dungan ethnic minority continue to be apparently disproportionately targeted in comparison to other people groups for teaching the Koran and Islam to local children without state permission (https://www.forum18.org/archive.php?article_id=2900).

The 203 known administrative cases in 2023 (https://www.forum18.org/archive.php?article_id=2900) show an increase from 2022 in the number of prosecutions. However, the true number of such administrative cases is likely to be higher. The Culture and Information Ministry (of which the Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2753) is a part) claimed that there had been 139 such cases in 2023 (https://www.forum18.org/archive.php?article_id=2900).

The 203 known 2023 administrative prosecutions for exercising freedom of religion and belief (https://www.forum18.org/archive.php?article_id=2900) compare with:

- 144 in 2022 (https://www.forum18.org/archive.php?article_id=2821);
- 130 in 2021 (https://www.forum18.org/archive.php?article_id=2715);
- 134 in 2020 (https://www.forum18.org/archive.php?article_id=2634);
- 168 in 2019 (https://www.forum18.org/archive.php?article_id=2532);
- 171 in 2018 (https://www.forum18.org/archive.php?article_id=2447);

- and 284 in 2017 (https://www.forum18.org/archive.php?article_id=2347).

Punishments in 2023 (https://www.forum18.org/archive.php?article_id=2900) included temporary bans on specified or unspecified activity, verbal reprimands, and fines for among other things posting religious materials online, selling Bibles, Korans, and icons online, as well as teaching children to read the Koran without state permission, trying to import religious books, and saying the word Amen in mosques – and even having religious books, although this is not an offence. One foreign citizen was ordered deported. In one case, a religious picture was ordered destroyed. Unlike in previous years, courts in 2023 are not known to have ordered religious literature to be destroyed (see full list below).

Fines are the most common punishment, with fines for individuals mostly being between three weeks' and two months' average wages. For pensioners and those without formal work, such fines can be a heavy burden. Individuals who are punished for offering religious materials for sale online often tell the courts that they are desperately short of money and are trying to sell any property they no longer need. This does not stop judges from fining them.

In addition to fines, courts often ban individuals from activity for three months. Sometimes the ban is unspecific, leaving individuals unclear about what they can and cannot do. In other cases courts ban specific activities, for example distributing religious materials (which is in any case illegal without state permission). The hardest-hitting bans are on those running shops, as a three-month ban leaves owners and employees with no income from the shop.

Neither the regime's Human Rights Commissioner Artur Lastayev, nor the regime's Religious Affairs Committee (https://www.forum18.org/archive.php?article_id=2753), nor police were willing to explain to Forum 18 why individuals and organisations continue to be punished for exercising freedom of religion or belief (https://www.forum18.org/archive.php?article_id=2900).

Such cases have continued in 2024. Six individuals are known to have been fined in 2024 for trying to bring religious literature into the country without state permission. On 1 April 2024, a religious affairs official in Almaty drew up a record of an offence against a Protestant, Sergei Orlov, who had spoken at a meeting of church members in a flat on 8 March to mark international women's day. The case has not yet been sent to court (see below).

"To restore social justice"?

The March 2023 court decision in the case of Bakhytkul Kosmambetova in Baikonur outlines the regime's excuses for punishing people for exercising freedom of religion or belief without state permission.

The decision (echoing the wording of 3 other such decisions) noted that "the court took into account her identity, property situation, and in order to restore social justice, to educate her in the spirit of compliance with the requirements of laws and respect for law and order, as well as to prevent her from committing a new offence".

Known 2023 cases

There were 203 known administrative cases for exercising freedom of religion and belief in the 2023 calendar year:

- 25 (20 individuals, 4 companies, and 1 charity) for meeting for worship without state permission, hosting such meetings, or maintaining places for such meetings (https://www.forum18.org/archive.php?article_id=2900) (26 in 2022, 30 in 2021, 19 in 2020, 37 in 2019, 40 in 2018, 88 in 2017).

- 4 individuals for offering religious materials to others for free without state permission (https://www.forum18.org/archive.php?article_id=2900) (1 in 2022, 3 in 2021, 4 in 2020, 15 in 2019, 10 in 2018, 39 in 2017).

- 2 (1 individual and 1 charity) for having religious literature (https://www.forum18.org/archive.php?article_id=2900) (2 in 2022, 0 in 2021, 0 in 2020, 0 in 2019, 0 in 2018, 0 in 2017).

- 41 individuals for offering religious literature or other items for sale without state permission (https://www.forum18.org/archive.php?article_id=2900) (31 in 2022, 18 in 2021, 26 in 2020, 30 in 2019, 34 in 2018, 58 in 2017).

- 7 individuals for online offering religious literature or other items for sale online without state permission (https://www.forum18.org/archive.php?article_id=2900) (9 in 2022, 18 in 2021, 29 in 2020, 24 in 2019, 18 in 2018, 10 in 2017).

- 67 individuals for posting religious materials online without state permission (https://www.forum18.org/archive.php?article_id=2900) (54 in 2022, 40 in 2021, 28 in 2020, 33 in 2019, 23 in 2018, 12 in 2017).

- 7 individuals for trying to import religious literature without state permission (https://www.forum18.org/archive.php?article_id=2900) (6 in 2022, 0 in 2021, 1 in 2020, 4 in 2019, 0 in 2018, 4 in 2017).

- 24 individuals for sharing faith with others without state permission (https://www.forum18.org/archive.php?article_id=2900) (3 in 2022, 3 in 2021, 10 in 2020, 8 in 2019, 17 in 2018, 31 in 2017).

- 13 Muslims for praying in mosques (https://www.forum18.org/archive.php?article_id=2900) in ways that the state-controlled Muslim Board has banned, for example by using the word "Amen" (https://www.forum18.org/archive.php?article_id=2753) (3 in 2022, 12 in 2021, 9 (one twice) in 2020, 9 in 2019, 21 in 2018, 22 in 2017, the first year such punishments were imposed).

- 12 (10 individuals and 2 charities) for teaching their faith to children without state permission (https://www.forum18.org/archive.php?article_id=2900) (8 in 2022, 6 in 2021, 7 in 2020, 4 in 2019, 3 in 2018, 2 in 2017).

- 1 individual for allowing children to be present or conducting religious rites against the wishes of one parent (https://www.forum18.org/archive.php?article_id=2900) (0 in 2022, 0 in 2021, 0 in 2020, 1 in 2019, 1 in 2018, 9 in 2017).

Almost all the 203 known 2023 cases were heard in court. A total of 12 fines or warnings are known to have been summarily handed down by police (https://www.forum18.org/archive.php?article_id=2715) in 2023 (0 in 2022, 2 in 2021, 3 in 2020, 20 in 2019).

No individuals are known to have been prosecuted in 2023 for trying to build a place of worship without state permission (1 in 2022, 0 in 2021, 0 in 2020, 0 in 2019, 0 in 2018, 0 in 2017).

No religious communities are known to have been prosecuted in 2023 for "inadequate" security or security measures for their places of worship, for example not having enough video cameras (0 in 2022, 0 in 2021, 0 in 2020, 2 in 2019, 2 in 2018, 5 in 2017).

No individuals are known to have been prosecuted in 2023 for failing to pay earlier fines to punish them for exercising the right to freedom of religion or belief without state permission (0 in 2022, 0 in 2021, 0 in 2020, 0 in 2019, 2 in 2018, 2 in 2017).

One foreign citizen is known to have been ordered deported in 2023 (2 in 2022, 0 in 2021, 0 in 2020, 0 in 2019, 1 in 2018, 2 in 2017).

Cases continue in 2024

Administrative cases continue to be brought in 2024 to punish the exercise of freedom of religion or belief.

At least six individuals are known to have been fined already in 2024 (https://www.forum18.org/archive.php?article_id=2900) for trying to bring religious literature into the country without state permission.

On 1 April 2024, Almaz Zhanamanov of Almaty City Religious Affairs Department drew up a record of an offence under Administrative Code Article 490, Part 3 against a Protestant, Sergei Orlov. He had spoken in a flat on 8 March to a group of church members who were meeting to mark international women's day. Orlov spoke of women in the Bible. He knew all of those present, except one man who filmed the meeting, Orlov told Forum 18.

On 13 March, a woman reported the meeting to the police, asking for the church to be investigated. The police passed the information to the city's Religious Affairs Department. On 1 April, Orlov was summoned to the Religious Affairs Department. Zhanamanov then drew up the record of an offence. The case has not yet reached Almaty Inter-District Specialised Administrative Court.

Orlov insists there was no reason for officials to bring a case against him and intends to challenge this in court.

Asked why he had drawn up the record of an offence, Zhanamanov refused to explain. "On all questions you should apply officially to the Department," he told Forum 18 on 5 April.

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Full list of known 2023 administrative prosecutions

The list of 203 known administrative cases for exercising freedom of religion or belief in 2023 (https://www.forum18.org/archive.php?article_id=2900) below is based on court decisions and other information known to Forum 18.

- Punishing meetings, rituals held without state permission

Known administrative cases: 25

Known convictions: 21

140 MFI fines (3 months' average wages): 3 fines

100 MFI fines (2 months' average wages): 2 fines

50 MFI fines (1 month's average wages): 10 fines

35 MFI fines (3 weeks' average wages): 6 fines

3-month bans on activity: 13 bans

Deportation: 1 deportation

Acquitted/case closed: 4

Muslims: 9

Baptists: 1

Protestants: 1

Jehovah's Witnesses: 1

Unknown faith: 1

Business owners/workers: 7

Companies: 4

Charities: 1

Administrative Code Article 489 (https://www.forum18.org/archive.php?article_id=2753), Part 9 punishes "Leadership of an unregistered, halted, or banned religious community or social organisation" with a fine of 100 MFIs.

Administrative Code Article 489 (https://www.forum18.org/archive.php?article_id=2753), Part 10 punishes "Participation in an unregistered, halted, or banned religious community or social organisation" with a fine of 50 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 1 punishes "violation of procedures established in law for conducting rites, ceremonies and meetings". Punishment for individuals is a fine of 50 MFIs, and for organisations a fine of 200 MFIs and a three-month ban on activity.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 4 punishes: "Violating the requirements of the Religion Law for .. building places of worship (facilities), or changing the usage (altering the functional designation) of buildings (facilities) into ritual buildings (facilities)". The punishment for individuals is a fine of 50 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were mostly the equivalent of between three weeks' (35 MFIs) and four months' (200 MFIs) average wages for those in formal work.

1) 15 March 2023

Asylbek Shalatayev, Muslim

Zhambyl District Court

Administrative Code Article 490, Part 1, Point 4, police found he had set up a prayer room in a restaurant without state permission (https://www.forum18.org/archive.php?article_id=2844)

35 MFI fine

2) 24 March 2023

Aibek Koshanov, Muslim

Shalkar District Court

Administrative Code Article 490, Part 1, Point 1, in the absence of mosque official and at the request of fellow worshippers, recited the call to prayer in the mosque without state permission

50 MFI fine plus 3-month ban on holding religious ceremonies

3) 27 March 2023

QazExpoCongress, company

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found it hosted 2 prayer rooms in business centre without state permission

200 MFI fine plus 3-month ban on unspecified activity (acquitted on appeal)

4) 28 March 2023

Astana Hub, company

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) claimed Astana Hub had hosted a prayer room without state permission (https://www.forum18.org/archive.php?article_id=2844)

Acquitted

5) 5 April 2023

QazExpoCongress, company

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found QazExpo had set up a prayer room in a business centre without state permission (https://www.forum18.org/archive.php?article_id=2844). (The room was used by a visiting Iranian trade delegation.)

140 MFI fine

6) 6 April 2023

Gulomzhon Israilov, business owner

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, opened a Muslim prayer hall without state permission "so that people could come

to pray" (https://www.forum18.org/archive.php?article_id=2844)

50 MFI fine plus 3-month ban on unspecified activity

7) 13 April 2023

Arsmane Marov, Muslim

Kordai District Court

Administrative Code Article 490, Part 1, Point 1, without state permission had operated a Muslim prayer room in rented premises in a shopping centre (https://www.forum18.org/archive.php?article_id=2844)

50 MFI fine plus 3-month ban on conducting religious rituals

8) 13 April 2023

Idris Mayankhu, Muslim

Kordai District Court

Administrative Code Article 490, Part 1, Point 1, operated Muslim prayer room in cafe without state permission "because the visitors and employees of the café are religious people" (https://www.forum18.org/archive.php?article_id=2844)

50 MFI fine plus 3-month ban on conducting religious rituals

9) 14 April 2023

Bobirzhan Nigmatulayev, Muslim

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, held talks on the Koran in local mosque without state permission

50 MFI fine plus 3-month ban on unspecified activity

10) 19 April 2023

Damir Abdulliyev, business owner

Aktau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, allowed guests at his restaurant to go to pray outside the building without state permission

50 MFI fine plus 3-month ban on unspecified activity

11) 20 April 2023

Asylbek Sherbekov, Muslim

Saryagash Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 4, police found he had without state permission opened a prayer room at a bus station (https://www.forum18.org/archive.php?article_id=2844)

35 MFI fine plus 3-month ban on prayer room

12) 5 May 2023

Yergali Amangeldiyev, commercial worker

Taraz Specialised Administrative Court

Administrative Code Article 490, Part 1, police "Struggle with Extremism Department"

(https://www.forum18.org/archive.php?article_id=2753) found he had opened Muslim prayer room in tea house without state permission

Acquitted

13) 10 May 2023

Karaganda Charity

Karaganda Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, police found YouTube video showing Muslim prayers for children living in charity residence

140 MFI fine plus 3-month ban on unspecified activity

14) 22 May 2023

Zakirzhan Rozmetov, Muslim

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, led night prayers without state permission during Ramadan in a mosque from which the Justice Department had removed state registration in July 2021 (https://www.forum18.org/archive.php?article_id=2844)

50 MFI fine plus 3-month ban on place of worship

15) 25 May 2023

Qazaqconcert, company

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, regional religious affairs department found that a concert agency had opened a prayer room in its offices without state permission (https://www.forum18.org/archive.php?article_id=2844)

140 MFI fine plus 3-month ban on prayer room

16) 22 June 2023

Zhanbolat Duisembayev, commercial worker

Baizak District Court

Administrative Code Article 490, Part 1, Point 4, he opened Muslim prayer room and kiosk at his petrol station without state permission

50 MFI fine

17) 12 July 2023

Alizhon Usmanov, commercial worker

Baizak District Court

Administrative Code Article 490, Part 1, Point 4, he opened Muslim prayer room at rented cafe without state permission

50 MFI fine

18) 13 July 2023

Askat Dalimov, business owner

Zhambyl District Court

Administrative Code Article 490, Part 4, police found he had opened Muslim prayer room in business premises without state permission

35 MFI fine

19) 3 August 2023

Sultanmakhmut Alzhan, business owner

Oskemen Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, opened Muslim prayer room in entertainment centre without state permission

35 MFI fine plus 3-month ban on unspecified activity

20) 22 August 2023

Abdujabbor Mulloyev, unknown faith

Saryagash District Court

Administrative Code Article 490, Part 3, legally resident Tajik citizen held religious meetings in home without state permission

100 MFI fine plus deportation

21) 28 August 2023

Ulan Smagulov, Muslim

Oskemen Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found he had held meal at restaurant where prayers were said and texts of prayer distributed without state permission

35 MFI fine

22) 3 November 2023

Miram Balmagambetov, Protestant

Karaganda Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 3, read from Bible with friends in home to commemorate recently deceased relatives without state permission

100 MFI fine

23) 8 November 2023

Bekbol Idrysov, Muslim

Kordai District Court

Administrative Code Article 490, Part 1, Point 1, led Friday prayers at unapproved Muslim prayer room without state permission

35 MFI fine plus 3-month ban on unspecified activity

24) 21 November 2023

Anvar Mustafin, Jehovah's Witness

Zhezkazgan Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 1, police found his community had held meeting for worship in state-registered Jehovah's Witness premises

Acquitted

25) 11 December 2023

Sergei Ryakhov, Baptist

Khromtau District Court

Administrative Code Article 490, Part 1, Point 1, police found he held meetings for worship of registered Truth Church in home without state permission

50 MFI fine plus 3-month ban on unspecified activity

- Punishing offering free religious materials without state permission

Known administrative cases: 4

Known convictions: 3

50 MFI fines (1 month's average wages): 2 fines

35 MFI fines (3 weeks' average wages): 1 fine

Acquittal/case closed: 1 case

Baptist: 2

Muslim: 2

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan". The punishment is a fine of 100 MFIs, with deportation if the individual is a foreign citizen.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were mostly the equivalent of between three weeks' (35 MFIs) and four months' (200 MFIs) average wages for those in formal work.

1) 28 April 2023

Serkali Kumargaliyev, Council of Churches Baptist

Karaganda Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, offered Bibles, New Testaments and other Christian literature on the street without state permission

35 MFI fine

2) 12 June 2023

Bakhtiyar Kudabayev, Muslim

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, gave about 10 copies of his religious book to friends at breaking the fast in cafe during Ramadan without state permission

Acquitted

3) 13 June 2023

Ali Nurabullayev, Muslim

Tupkaragan District Court

Administrative Code Article 490, Part 1, Point 3, while offering for sale household equipment, gave Muslim booklets to customers without state permission

50 MFI fine

4) 5 December 2023

Nikolai Popov, Council of Churches Baptist

Balkhash Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found him offering Christian literature on the street without state permission

50 MFI fine

- Punishing having religious literature

Known administrative cases: 2

Known convictions: 1

35 MFI fines (3 weeks' average wages): 1 fine

3-month bans on activity: 1 case

Acquittal/case closed: 1 case

Muslim: 1

Charity: 1

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use". The punishment for individuals is a fine of 50 MFIs, and for legal entities 200 MFIs.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 23 May 2023

Otyrar charity

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department"

(https://www.forum18.org/archive.php?article_id=2753) found charity had 75 copies of a Muslim book without state permission

Acquitted

2) 15 August 2023

Zhansulu Magzomova, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, found at Atyrau railway station having brought 80 Kazakh-language books on the Koran on the train from Almaty without state permission

35 MFI fine (equivalent to three weeks' average wages for those in formal work) plus 3-month ban on unspecified activity

- Punishing offering religious literature, items for sale, without state permission

Known administrative cases: 41

Known convictions: 38

140 MFI fines (3 months' average wages): 2 fines

50 MFI fines (1 month's average wages): 5 fines

35 MFI fines (3 weeks' average wages): 31 fines

3-month bans on activity: 29 bans

1-month bans on activity: 2 bans

Bans on activity of unspecified length: 1 ban

Confiscation of literature/materials: 1 case

Acquittal/case closed: 3 cases

Commercial sellers: 41

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use".

The punishment for individuals is a fine of up to 50 MFIs, and for legal entities up to 200 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan".

The punishment is a fine of up to 100 MFIs, with deportation if the individual is a foreign citizen.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were mostly the equivalent of between three weeks' (35 MFIs) and four months' (200 MFIs) average wages for those in formal work.

1) 6 January 2023

Serikkhan Zhakyp, commercial seller

Kyzylorda Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found he sold 2 and offered for sale 7 more Muslim books in shop without state permission

35 MFI fine plus 3-month ban on distributing religious literature

2) 11 January 2023

Samga Publishing House, company

Almaty Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, officials found Samga offering religious books for sale in shop without state permission

140 MFI fine plus 3-month ban on distributing religious literature

3) 12 January 2023

Diana Kanabekova, commercial seller

Taldykorgan Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering Islamic books and items for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity (ban but not fine cancelled on appeal)

4) 13 January 2023

Zhibek Seyitbattalkyzy, commercial seller

Taldykorgan Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering 2 books (which they claimed were religious) for sale in Muslim clothes shop without state permission

Acquitted (books were found to be about medicinal herbs and were not deemed religious)

5) 17 January 2023

Aitgul Amankulova, commercial seller

Zhanaozen City Court

Administrative Code Article 490, Part 1, Point 3, her employee was offering 16 religious books for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

6) 1 February 2023

Gulnar Kabdesheva, commercial seller

Burabai District Court

Administrative Code Article 490, Part 1, Point 3, official found her offering 1 copy of the Koran for sale in shop without state permission

35 MFI fine

7) 3 February 2023

Orifzhon Khasantayev, seller

Sairam District Court

Administrative Code Article 490, Part 1, Point 3, police and regional religious affairs department found him offering 7 Muslim books for sale from his home without state permission

50 MFI fine plus 3-month ban on distributing religious literature

8) 6 February 2023

Yerlan Zhaksylykov, seller

Kentau City Court

Administrative Code Article 490, Part 1, Point 3, police found his wife in the shop Muslim which he owns offering 218 Muslim books and items for sale without state permission

140 MFI fine plus 3-month ban on distributing religious literature

9) 7 February 2023

Karlygash Samuratova, seller

Kazaly District Court

Administrative Code Article 490, Part 1, Point 3, police found she had sold 1 Muslim book from home without state permission

35 MFI fine plus 3-month ban on unspecified activity

10) 22 February 2023

Gulnazira Tulepbergenova, seller

Zhanakorgan District Court

Administrative Code Article 490, Part 1, Point 3, police found she had offered 5 religious books for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

11) 1 March 2023

Damegul Baigelova, commercial seller

Taraz Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering religious books for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

12) 10 March 2023

Maral Asamuratova, commercial seller

Baikonur City Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found she had sold 3 Islamic books (including "Marriage: According to the Hanafi School") in shop without state permission

35 MFI fine plus 3-month ban on distributing religious literature

13) 10 March 2023

Bakhytkul Kosmambetova, commercial seller

Baikonur City Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found she had sold 2 Islamic books and offered for sale 3 more in shop without state permission (local administration had told her she did not need permission to sell religious books)

35 MFI fine plus 3-month ban on distributing religious literature

14) 13 March 2023

Balzhan Kutzhan, commercial seller

Kentau City Court

Administrative Code Article 490, Part 1, Point 3, police found her offering 12 religious books and items for sale from home without state permission

50 MFI fine plus 3-month ban on unspecified activity

15) 15 March 2023

Rakhat Kuanyshuly, commercial seller

Zhanakorgan District Court

Administrative Code Article 490, Part 1, Point 3, police found him offering 5 Islamic books for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

16) 16 March 2023

Gulzhakan Aimanova, commercial seller

Aral District Court

Administrative Code Article 490, Part 1, Point 3, police found her offering Islamic books (including "Let's learn to pray" and "Namaz during pregnancy") for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

17) 24 March 2023

Sakhan Zhanseitov, commercial seller

Arys District Court

Administrative Code Article 490, Part 1, Point 3, religious affairs officials found him offering religious literature for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

18) 29 March 2023

Nazerke Elubayeva, commercial seller

Baikonur City Court

Administrative Code Article 490, Part 1, Point 3, police found her offering 4 Islamic books for sale in "Muslim Items" shop without state permission

Acquitted (she was not the owner of the shop)

19) 30 March 2023

Sardarkhan Saidalimkhanov, commercial seller

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, offered religious books for sale in shop without state permission

50 MFI fine plus ban on unspecified activity of unspecified length

20) 12 May 2023

Asiya Kaltayeva, commercial seller

Kyzylorda Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found she had sold 1 religious book and offered for sale 5 others in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

21) 16 May 2023

Gulzhikhaz Kasenova, commercial seller

Taraz Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering for sale 5 religious books in shop without state permission

35 MFI fine plus confiscation of 6 books (handed to regional religious affairs department)

22) 25 May 2023

Raikul Oksimbayeva, commercial seller

Kyzylorda Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering for sale 5 Islamic books in shop without state permission

35 MFI fine

23) 5 June 2023

Sabirzhan Novruzov, commercial seller

Aktau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, offered for sale 5 books on the Koran in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

24) 5 June 2023

Rustambek Umurzakov, commercial seller

Keles District Court

Administrative Code Article 490, Part 1, Point 3, offered religious books for sale in market without state permission

50 MFI fine

25) 6 June 2023

Nurzhan Talipov, commercial seller

Turkistan Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, offered 40 Islamic books for sale in shop without state permission

35 MFI fine

26) 19 June 2023

Aigul Mataibayeva, commercial seller

Aktau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, offered for sale 1 Koran in shop in market without state permission

35 MFI fine plus 3-month ban on unspecified activity

27) 1 August 2023

Nazarbak Pilal, commercial seller

Turkistan Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found him offering religious books for sale in shop without state permission

35 MFI fine plus 3-month ban on distributing religious literature

28) 8 August 2023

Rakiya Karatayeva, commercial seller

Karakiya District Court

Administrative Code Article 490, Part 1, Point 3, police and regional religious affairs department found her offering 6 religious books for sale in shop without state permission

35 MFI fine plus 1-month ban on operating shop

29) 15 August 2023

Aimkul Dzhamalbekova, commercial seller

Zhanaozen City Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs department found her offering 7 religious books for sale in shop without state permission

35 MFI fine plus 1-month ban on unspecified activity

30) 24 August 2023

Nurdulla Bekzhigitov, commercial seller

Turkistan Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found him offering religious books for sale in shop without state permission (local administration had refused such permission)

35 MFI fine plus 3-month ban on distributing religious literature

31) 4 September 2023

Galym Kapanov, commercial seller

Tupkaragan District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs department found him offering 7 Korans and 1 "Fortress of a Muslim" for sale in shop without state permission

35 MFI fine

32) 5 September 2023

Oringul Borankulova, commercial seller

Zhanaozen City Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs department found her offering one religious book for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

33) 5 September 2023

Rabiga Burkitova, commercial seller

Zhanaozen City Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs department found her offering one religious book for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

34) 6 September 2023

Saltanat Utkelbayeva, commercial seller

Zhanaozen City Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs department found her offering religious books for sale in shop without state permission

35 MFI fine plus 3-month ban on distributing religious materials

35) 13 September 2023

Zhanslu Urazgaliyeva, commercial seller

Zhanaozen City Court

Administrative Code Article 490, Part 1, Point 3, offered 40 religious books for sale in market without state permission

35 MFI fine plus 3-month ban on unspecified activity

36) 2 October 2023

Almas Zhanbirbayev, commercial seller

Talgar District Court

Administrative Code Article 490, Part 1, Point 3, offered religious literature for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

37) 17 October 2023

Aibek Ozhken, commercial seller

Almaty Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, offered religious books and items for sale in shop without state permission

50 MFI fine plus 3-month ban on business activity

38) 19 October 2023

Marzhona Pardaboyeva, commercial seller

Munaily District Court

Administrative Code Article 490, Part 1, Point 3, police found her offering religious books for sale in shop without state permission

35 MFI fine plus 3-month ban on business activity

39) 23 October 2023

Munira Ordabekova, commercial seller

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, offered religious books for sale in shop without state permission

35 MFI fine plus 3-month ban on unspecified activity

40) 21 November 2023

Viktor Volkov, commercial seller

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found him offering for sale 1 religious book which had not passed through state censorship (14 others had undergone censorship) in Path to Oneself shop without state permission (officials https://www.forum18.org/archive.php?article_id=1913 raided the shop and court fined Volkov's father in 2013)

Acquitted because case filed too late

41) 27 November 2023

Amina Kanat, commercial seller

Taldykorgan Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering religious books for sale in shop in hotel without state permission

35 MFI fine plus 3-month ban on unspecified activity

- Punishing offering religious literature, items for sale online

Known administrative cases: 7

Known convictions: 6

35 MFI fines (3 weeks' average wages): 6 fines

3-month bans on activity: 2 bans

Destruction of picture: 1 case

Acquitted/case closed: 1 case

Private sellers: 7

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use".

The punishment for individuals is a fine of up to 50 MFIs.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were the equivalent of three weeks' (35 MFIs) average wages for those in formal work.

1) 14 February 2023

Zhanerke Imangaliyeva, seller

Baiterek District Court

Administrative Code Article 490, Part 1, Point 3, police found her offering 2 Islamic children's books ("How to pray the namaz" and "A treasure for young Muslims") for sale on Instagram site without state permission

35 MFI fine plus 3-month ban on unspecified activity

2) 6 April 2023

Svetlana Kukushina, seller

Pavlodar Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering 1 Children's Bible for sale on OLX for 3,000 Tenge without state permission ("Expert analysis" (https://www.forum18.org/archive.php?article_id=2753) found that the Children's Bible was a religious book)

Acquitted

3) 19 May 2023

Viktor Vetrov, seller

Semei District Court

Administrative Code Article 490, Part 1, Point 3, police found him offering neck cross for sale on OLX without state permission ("Expert analysis" (https://www.forum18.org/archive.php?article_id=2753) found that the cross was a religious item)

35 MFI fine plus 3-month ban on unspecified activity

4) 22 May 2023

Anastasiya Didayeva, seller

Abai District Court

Administrative Code Article 490, Part 1, Point 3, police found her offering religious books and items for sale on Instagram site without state permission

35 MFI fine

5) 13 June 2023

Vasilisa Prima, seller

Kostanai Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found her offering 1 New Testament for sale on OLX for 2,000 Tenge at the request of her grandmother without state permission (Russian Orthodox priest confirmed in court that the book is religious and is used by Orthodox Christians)

35 MFI fine

6) 15 June 2023

Igor Azvestopulo, seller

Taraz Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found him offering for sale on OLX picture of an icon of the Virgin Mary without state permission

35 MFI fine plus destruction of picture

7) 3 November 2023

Galymzhan Shokanov, seller

Oral Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found him offering 94 religious books for sale on his Muslim Gifts page on Instagram without state permission

35 MFI fine

- Punishing posting religious materials online without state permission

Known administrative cases: 67

Known convictions: 66

70 MFI fines (6 weeks' average wages): 1 fine

50 MFI fines (1 month's average wages): 16 fines

40 MFI fines (3 and a half weeks' average wages): 2 fines

35 MFI fines (3 weeks' average wages): 46 fines

14 MFI fines (1 week's average wages): 1 fine

3-month bans on activity: 33 bans

Bans on activity of unspecified length: 1 ban

Acquitted/case closed: 1 case

Muslims: 58

Unknown faith: 9

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use".

The punishment for individuals is a fine of up to 50 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan".

The punishment is a fine of up to 100 MFIs, with deportation if the individual is a foreign citizen.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 8 punishes repeat violations of the Religion Law within one year, with fines on individuals of up to 200 MFIs.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were mostly the equivalent of between three weeks' (35 MFIs) and one months' (50 MFIs) average wages for those in formal work.

1) 16 January 2023

Garifolla Shauenov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted religious material on his TikTok account without state permission

35 MFI fine plus 3-month ban on unspecified activity

2) 24 January 2023

Stakhan Rakhmetov, unknown faith

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted religious material on his VKontakte page without state permission

50 MFI fine

3) 27 January 2023

Rustam Sabitov, Muslim

Petropavl Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted verses from the Koran on his VKontakte page without state permission

50 MFI fine plus 3-month ban on unspecified activity

4) 31 January 2023

Azat Suleimen, Muslim

Balkhash Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, shared Islamic audio and video files with 38 members of WhatsApp group without state permission

35 MFI fine plus 3-month ban on unspecified activity

5) 31 January 2023

Azamat Utemisov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted recitations from the Koran and Islamic talks on his VKontakte page without state permission

35 MFI fine plus 3-month ban on unspecified activity

6) 7 February 2023

Murat Zholdybayev, Muslim

Beineu District Court

Administrative Code Article 490, Part 3, created 2 Telegram channels on Islam without state permission

70 MFI fine

7) 8 February 2023

Garifolla Salakhitdinov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted recitations from the Koran and Islamic talks on his VKontakte page without state permission

35 MFI fine plus 3-month ban on unspecified activity

8) 14 February 2023

Omirserik Miyatbek, unknown faith

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found he had posted religious materials on his Facebook page without state permission

50 MFI fine plus 3-month ban on unspecified activity

9) 14 February 2023

Zhumabek Tlekbayev, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted verses from the Koran on his VKontakte page without state permission

35 MFI fine plus 3-month ban on unspecified activity

10) 23 February 2023

Elshat Nurmaganbetov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) and regional religious affairs officials found he had posted Islamic talks on

his Facebook page without state permission

35 MFI fine plus 3-month ban on unspecified activity

11) 27 February 2023

Zhanibek Aldakov, Muslim

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted religious materials on his Facebook page without state permission

35 MFI fine plus 3-month ban on unspecified activity

12) 27 February 2023

Zhanibek Shamkulov, unknown faith

Kulsary District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted religious videos on his VKontakte page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

13) 28 February 2023

Esenzhan Kadyrgaliyev, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted religious materials on his Facebook page without state permission

35 MFI fine plus 3-month ban on unspecified activity

14) 28 February 2023

Zhaksygul Zholamanova, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found she had posted hadiths on her VKontakte page without state permission

35 MFI fine plus 3-month ban on unspecified activity

15) 6 March 2023

Zhasulan Birkulakov, unknown faith

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted videos of religious talks on his VKontakte page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

16) 6 March 2023

Isa Nurgaziyev, Muslim

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted Islamic talks before 2021 on his VKontakte page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

17) 6 March 2023

Akbolat Zhangaliyev, Muslim

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted videos of Islamic talks on his VKontakte page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

18) 9 March 2023

Eldar Maratuly, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted hadiths on his Instagram account without state permission

35 MFI fine plus 3-month ban on unspecified activity

19) 9 March 2023

Akylbek Mukhayev, Muslim

Kulsary City Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted videos of sermons by Naqshbandi preacher on his Facebook page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

20) 10 March 2023

Almas Zhantleuov, Muslim

Ualikhanov District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted Islamic materials on his Instagram account without state permission

35 MFI fine

21) 13 March 2023

Margulin Adayev, Muslim

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted religious materials on his Facebook page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

22) 24 March 2023

Didar Ayapov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 453, Part 2, regional religious affairs officials found he had posted materials from Kashmir-based cleric Mufti Muhammad Ayoub Sahab Naqshbandi to his VKontakte page and YouTube channel which a state "expert analysis" (https://www.forum18.org/archive.php?article_id=2753) had claimed call for violation of the rights of others

14 MFI fine

23) 30 March 2023

Serzhanbi Sarimsakov, Muslim

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted religious materials on his Instagram account without state permission

50 MFI fine plus ban on unspecified activity of unspecified length

24) 31 March 2023

Orynbasar Taubayev, Muslim

Oral Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found he had posted a link to a channel explaining the umra pilgrimage to Mecca to a Telegram channel with 4 other subscribers without state permission

35 MFI fine

25) 31 March 2023

Aibek Tureshev, Muslim

Oral Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found he had posted Muslim materials to his Telegram account without state permission

35 MFI fine

26) 3 April 2023

Azamat Mukhidenov, Muslim

Oral Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found he had posted Islamic materials on his Telegram channel without state permission

35 MFI fine

27) 14 April 2023

Nazerke Dosanova, unknown faith

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, she posted religious videos and pictures on her VKontakte page "to increase people's religious literacy" without state permission

50 MFI fine

28) 2 May 2023

Berik Smailov, unknown faith

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted religious videos on his VKontakte page without state permission

50 MFI fine plus 3-month ban on unspecified activity

29) 15 May 2023

Vadim Khazheyev, Muslim

Kostanai Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police (as part of the Migrant operational preventative measure) and regional religious affairs officials found the Russian citizen and Russian resident had posted Islamic audio and video recordings on WhatsApp without Kazakh state permission

50 MFI fine

30) 22 May 2023

Marat Agorynov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted Koran verses and encouragement to attend mosque on his Instagram account without state permission

35 MFI fine

31) 22 May 2023

Berik Zhumagaliyev, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted audio recordings of Koran verses and "gratitude to the Creator" on his VKontakte page without state permission

35 MFI fine

32) 23 May 2023

Eldar Sadykov, unknown faith

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted religious videos on a Telegram channel he created without state permission

50 MFI fine plus 3-month ban on unspecified activity

33) 24 May 2023

Omirbek DImagambetov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted audio recordings of Koran verses and "expressing gratitude to the Creator" on his VKontakte page without state permission

35 MFI fine

34) 5 June 2023

Andrei Yakimov, unknown faith

Temirtau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted religious material on his VKontakte page without state permission

35 MFI fine

35) 21 June 2023

Gulnaz Suleimenova, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found she had posted Koran verses and other Islamic materials on her Instagram account without state permission

35 MFI fine plus 3-month ban on unspecified activity

36) 1 July 2023

Anuar Kanatov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted Islamic materials on his Instagram account without state permission

35 MFI fine plus 3-month ban on unspecified activity

37) 14 July 2023

Mukhametzhan Bilyalov, Muslim

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted materials from the Naqshbandi order of Sufi Islam on his Tiktok account without state permission

50 MFI fine plus 3-month ban on unspecified activity

38) 18 July 2023

Nurlan Togayev, unknown faith

Petropavl Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police "Struggle with Extremism Department" (https://www.forum18.org/archive.php?article_id=2753) found he had posted religious audio and video files on his Instagram account without state permission

35 MFI fine

39) 2 August 2023

Bibigul Shaikhina, Muslim

Kokshetau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted Islamic materials on her Instagram account without state permission

50 MFI fine

40) 3 August 2023

Munir Akhmedziyanov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted audio recordings of Koran verses and hadiths on his VKontakte page without state permission

50 MFI fine

41) 9 August 2023

Tungishbai Zhalelov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted Koran verses, hadiths and other Islamic material on his VKontakte page without state permission

35 MFI fine plus 3-month ban on unspecified activity

42) 10 August 2023

Gaukhar Khalidullina, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found she had posted audio recordings of Koran verses and hadiths on her VKontakte page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

43) 11 August 2023

Samat Seisov, Muslim

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, posted images of hadiths on his Instagram page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

44) 14 August 2023

Didar Batykhon, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted Koran verses and videos on his Instagram page without state permission

50 MFI fine

45) 15 August 2023

Babir Rustamov, Muslim

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, posted Islamic visuals on his Instagram page without state permission

35 MFI fine

46) 17 August 2023

Amirzhanuli Adietov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted Koran verses and hadiths on his Instagram page without state permission

40 MFI fine

47) 21 August 2023

Aigerim Tilebergenova, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found she had posted Koran verses on her VKontakte page without state permission

35 MFI fine

48) 22 August 2023

Zhalgas Khazangapov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted Koran verses and hadiths on his VKontakte page without state permission

35 MFI fine

49) 23 August 2023

Amirzhan Ziyabekov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police found he had posted verses from the Koran and other Islamic materials on his VKontakte page without state permission

35 MFI fine plus 3-month ban on unspecified activity

50) 23 August 2023

Medet Kosym, Muslim

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, posted Islamic videos on his Instagram account without state permission

35 MFI fine plus 3-month ban on distributing religious materials

51) 24 August 2023

Didar Ayapov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted a sermon by a local imam on his Tiktok account without state permission

35 MFI fine plus 3-month ban on unspecified activity

52) 28 August 2023

Dana Nasiyeva, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found she had posted Islamic talks and hadiths ("propaganda in the direction of Islam") on her VKontakte page without state permission

35 MFI fine

53) 28 August 2023

Baktybek Boranbayev, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police regional religious affairs officials found he had posted Islamic materials, including material from Kazakh Naqshbandi Sufi preacher Kurbanali Akhmedov (Kurbanali Akhmed Ishan), on his Facebook page without state permission

35 MFI fine plus 3-month ban on unspecified activity

54) 31 August 2023

Salamat Gabbasov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted Koran verses and hadiths on his VKontakte page without state permission

40 MFI fine

55) 31 August 2023

Zada Kuspanova, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found she had posted audio recordings of Koran verses and hadiths on her VKontakte page without state permission

35 MFI fine

56) 1 September 2023

Amandyk Kurakbayev, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted videos of sermons by imams of the state-controlled Muslim Board on his VKontakte page without state permission

35 MFI fine

57) 1 September 2023

Anuarbek Uteuliyev, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted verses from the Koran and hadiths on his Instagram page without state permission

50 MFI fine

58) 1 September 2023

Aslanbek Mukhanbetkaliyev, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted Koran verses and hadiths on his VKontakte page without state permission

35 MFI fine

59) 4 September 2023

Kanatbek Nukhov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, posted Koran verses and hadiths on his VKontakte page in 2017 without state permission

35 MFI fine

60) 8 September 2023

Sultan Suleimenov, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted Koran verses on his Instagram account without state permission

50 MFI fine

61) 12 September 2023

Sultan Tanatarov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, police and regional religious affairs officials found he had posted Islamic material on his VKontakte page without state permission

35 MFI fine plus 3-month ban on unspecified activity

62) 13 September 2023

Ruslan Ayaganov, Muslim

Baikonur City Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted sermons by Dilmurat Makhmatov and Nazratulla Abdukadyrov on his VKontakte page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

63) 13 September 2023

Beisenbai Sabyrgaliyev, Muslim

Zhilioi District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted sermons and hadiths on his Facebook (or VKontakte) page without state permission

35 MFI fine plus 3-month ban on distributing religious materials

64) 14 September 2023

Aslanbek Berdibek, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, regional religious affairs officials found he had posted translations of Koran verses and "commandments of the Prophet Muhammad" on his VKontakte page between 2015 and 2018 without state permission

50 MFI fine

65) 15 September 2023

Kairat Dospayev, Muslim

Kurmangazy District Court

Administrative Code Article 490, Part 1, Point 3, using an automated program, regional religious affairs officials found he had posted recordings of Koran verses and hadiths on his Instagram page without state permission

50 MFI fine

66) 4 October 2023

Ruslan Ayaganov, Muslim

Baikonur City Court

Administrative Code Article 453, Part 1, regional religious affairs officials found he had posted sermons by Dilmurat Makhmatov and Nazratulla Abdukadyrov on his VKontakte page without state permission

Acquitted as already punished under a different Administrative Code Article

67) 21 December 2023

Aliya Tokkozhinova, Muslim

Karaganda Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, distributed the Islamic book "Fortress of a Muslim" on WhatsApp without state permission

35 MFI fine

- Punishing trying to import religious literature without state permission

Known administrative cases: 7

Known convictions: 6

70 MFI fines (6 weeks' average wages): 1 fine

50 MFI fines (1 month's average wages): 2 fines

35 MFI fines (3 weeks' average wages): 2 fines

Verbal reprimand: 1 reprimand

3-month bans on activity: 2 bans

Confiscation of literature: 1 case

Acquitted/case closed: 1 case

Muslim: 4

Unknown faith: 3

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 1, Point 3 punishes: "Violating the requirements of the Religion Law for .. import, manufacturing, production, publication and/or distribution of religious literature and other religious materials, and items for religious use".

The punishment for individuals is a fine of up to 50 MFIs.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were mostly the equivalent of between three weeks' (35 MFIs) and one months' (50 MFIs) average wages for those in formal work.

1) 5 January 2023

Yeldos Kyrgyzbayev, Muslim

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, Kazakh customs found 93 Arabic-language books about the Koran in his hand luggage

50 MFI fine plus 3-month ban on unspecified activity

2) 16 January 2023

Saparbek Tengebekov, Muslim

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, Kazakh customs found 24 Arabic-language Islamic books in his luggage

50 MFI fine plus 3-month ban on unspecified activity

3) 24 March 2023

Ermeke Toktonazar uulu, Muslim

Merke District Court

Administrative Code Article 453, Part 4, Kazakh customs found in luggage of Kyrgyz citizen 2 Kyrgyz-language Islamic books (banned in Kazakhstan) by members of the Kandhlawi family associated with Muslim missionary movement Tabligh Jamaat (banned in Kazakhstan as "extremist")

70 MFI fine plus confiscation of books

4) 13 April 2023

Batyr Urinbayev, unknown faith

Almaty Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, Kazakh customs found 42 religious books in his luggage when he arrived from Istanbul at Turkistan Airport

Acquitted

5) 25 September 2023

Chingizkhan Kabdulvakhitov, Muslim

Astana Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, Kazakh customs found 14 Islamic books (including 6 Korans) as he arrived from a pilgrimage to Mecca at Astana Airport

Verbal reprimand

6) 22 December 2023

Said Aytaliyev, unknown faith

Saryagash District Court

Administrative Code Article 490, Part 1, Point 3, Kazakh customs found Uzbek resident of neighbouring district of Uzbekistan had 10 religious books when crossing into Kazakhstan

35 MFI fine (no mention made of whether or not books to be returned)

7) 22 December 2023

Umidjon Egamberdiyev, unknown faith

Saryagash District Court

Administrative Code Article 490, Part 1, Point 3, Kazakh customs found Uzbek resident of Namangan Region of Uzbekistan had 27 religious books in car when crossing into Kazakhstan

35 MFI fine (no mention made of whether or not books to be returned)

- Punishing sharing faith without state permission

Known administrative cases: 24

Known convictions: 7

70 MFI fines (6 weeks' average wages): 1 fine

35 MFI fines (3 weeks' average wages): 2 fines

5 MFI fines (3 days' average wages): 2 fines

Warnings: 2 warnings

Acquitted/case closed: 17 cases

Jehovah's Witness: 24

Administrative Code Article 449, Part 1 punishes: "Harassment in public places". The punishment is a warning or a fine of 5 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan".

The punishment is a fine of up to 100 MFIs, with deportation if the individual is a foreign citizen.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were the equivalent of between three weeks' (35 MFIs) and six weeks' (70 MFIs) average wages for those in formal work.

1) 3 March 2023

Larisa Belousova, Jehovah's Witness

Almaty Police

Administrative Code Article 449, Part 1, police accused the 75-year-old of "an illegal conversation with strangers on spiritual topics" without state permission

Warning (overturned by Almaty Inter-District Specialised Administrative Court on appeal)

2) 3 April 2023

Nadezhda Ovchinnikova, Jehovah's Witness

Almaty Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

Warning

3) 13 June 2023

Rauza Bayanova, Jehovah's Witness

Satpayev City Court

Administrative Code Article 490, Part 3, shared faith on street without state permission

Acquitted

4) 14 June 2023

Balkiya Abysheva, Jehovah's Witness

Satpayev City Court

Administrative Code Article 490, Part 3, shared faith on street without state permission

Acquitted

5) 21 June 2023

Ivan Pyatkov, Jehovah's Witness

Altai District Court

Administrative Code Article 490, Part 3, police found he shared faith door to door without state permission

Acquitted

6) 29 June 2023

Saule Asainova, Jehovah's Witness

Sarykol District Court

Administrative Code Article 490, Part 1, Point 3, shared faith by letter without state permission

Acquitted

7) 4 July 2023

Svetlana Shmalei, Jehovah's Witness

Sarykol District Court

Administrative Code Article 490, Part 1, Point 3, police found she had shared faith by letter without state permission

Acquitted

8) 4 July 2023

Lyudmila Anfilofyeva, Jehovah's Witness

Altai District Court

Administrative Code Article 490, Part 3, police and District Administration internal policy official found her sharing faith in block of flats without state permission

Acquitted

9) 12 July 2023

Zhangazy Biimbetov, Jehovah's Witness

Oskemen Specialised Administrative Court

Administrative Code Article 490, Part 3, police and regional religious affairs official found him sharing faith with home owner without state permission

70 MFI fine

10) 5 August 2023

Ilya Gorn, Jehovah's Witness

Astana Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

5 MFI fine

11) 5 August 2023

Kasym Kasymzhanov, Jehovah's Witness

Astana Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

Warning (Astana Inter-District Specialised Administrative Court overturned on appeal)

12) 18 August 2023

Timur Myrzabekov, Jehovah's Witness

Almaty Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 3, police and regional religious affairs official found him sharing faith with home owners without state permission

Acquitted

13) 21 August 2023

Maksim Bakun, Jehovah's Witness

Almaty Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 3, police and regional religious affairs official found him sharing faith with home owners without state permission

Acquitted

14) 4 September 2023

Kulbaran Akhmetova, Jehovah's Witness

Semei Specialised Administrative Court

Administrative Code Article 490, Part 3, shared faith with home owner without state permission

Acquitted

15) 16 September 2023

Saule Esaliyeva, Jehovah's Witness

Taraz Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

Warning

16) 9 November 2023

Anastasiya Ananyeva, Jehovah's Witness

Oskemen Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, Oskemen Police "Struggle with Extremism and Terrorism Department" (https://www.forum18.org/archive.php?article_id=2753) found Ananyeva and Gavrilenko (see below) sharing faith on street without state permission

35 MFI fine

17) 9 November 2023

Aleksandr Gavrilenko, Jehovah's Witness

Oskemen Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, Oskemen Police "Struggle with Extremism and Terrorism Department" (https://www.forum18.org/archive.php?article_id=2753) found the 73-year-old Gavrilenko and Ananyeva (see above) sharing faith on street without state permission

35 MFI fine

18) 23 November 2023

Gulzhavkhar Kholboyeva, Jehovah's Witness

Turkestan Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

5 MFI fine (Turkestan Specialised Administrative Court overturned on appeal)

19) 29 November 2023

Antonina Kim, Jehovah's Witness

Astana Police

Administrative Code Article 449, Part 1, 72-year-old accused of sharing faith without state permission

Warning (Astana Inter-District Specialised Administrative Court overturned on appeal)

20) 29 November 2023

Svetlana Ternovskaya, Jehovah's Witness

Astana Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

Warning (Astana Inter-District Specialised Administrative Court overturned on appeal)

21) 8 December 2023

Kirill Kalugin, Jehovah's Witness

Aktobe Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

Warning (Aktobe Inter-District Specialised Administrative Court overturned on appeal)

22) 15 December 2023

Anastasiya Stotskaya, Jehovah's Witness

Aktobe Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

5 MFI fine (Aktobe Inter-District Specialised Administrative Court overturned on appeal)

23) 15 December 2023

Natalya Lim, Jehovah's Witness

Aktobe Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

5 MFI fine (Aktobe Inter-District Specialised Administrative Court overturned on appeal, but Regional Court reinstated after prosecutor's appeal)

24) 28 December 2023

Talgat Kibatov, Jehovah's Witness

Kokshetau Police

Administrative Code Article 449, Part 1, accused of sharing faith without state permission

5 MFI fine (Kokshetau Specialised Administrative Court overturned on appeal)

- Punishing violating mosques' internal rules

Known administrative cases: 13

Known convictions: 12

50 MFI fines (1 month's average wages): 1 fine

35 MFI fines (3 weeks' average wages): 11 fines

Acquitted/case closed: 1 case

Muslims: 13

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 2 punishes: "Impeding lawful religious activity as well as violation of the civil rights of physical persons on grounds of their religious views or insulting their feelings or profanation of items, buildings and places revered by followers of any religion, unless there are signs of criminally punishable actions". The regime regards saying the word "Amen" in mosques (used as a prayer by Sunni Hanbali Muslims) (https://www.forum18.org/archive.php?article_id=2753) as one instance of this "offence".

The punishment for individuals is a fine of up to 50 MFIs, and for legal entities up to 200 MFIs.

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 8 punishes repeat violations of the Religion Law within one year, with fines on individuals of up to 200 MFIs.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were the equivalent of between three weeks' (35 MFIs) and one months' (50 MFIs) average wages for those in formal work.

1) 22 February 2023

Altynbek Begimov, Muslim

Kazaly District Court

Administrative Code Article 490, Part 2, accused of saying the word Amen during prayers in mosque (he denied it)

35 MFI fine

2) 22 February 2023

Bereket Kadir, Muslim

Kazaly District Court

Administrative Code Article 490, Part 2, accused of saying the word Amen during prayers in mosque (he denied it, insisting he whispered the word)

35 MFI fine

3) 22 February 2023

Samat Serikbayev, Muslim

Kazaly District Court

Administrative Code Article 490, Part 2, accused of saying the word Amen during prayers in mosque

35 MFI fine

4) 25 May 2023

Talgat Abuov, Muslim

Zhambyl District Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

5) 26 May 2023

Asylbek Tazhikenov, Muslim

Atyrau Specialised Administrative Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

6) 29 May 2023

Zhanibek Abdrasilov, Muslim

Zhambyl District Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

7) 29 May 2023

Ermek Kyrykbayev, Muslim

Zhambyl District Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

8) 5 June 2023

Dulat Appas, Muslim

Zhambyl District Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

9) 21 June 2023

Mukhammad Sayakhatuli, Muslim

Aktau Specialised Administrative Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

10) 27 June 2023

Abylai Zharylgap, Muslim

Aktau Specialised Administrative Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

11) 24 July 2023

Madiyar Sagimov, Muslim

Taldykorgan Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

Acquitted

12) 31 July 2023

Almaskhan Tulenov, Muslim

Zhetysai District Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

50 MFI fine

13) 16 November 2023

Samat Zakirov, Muslim

Ayagoz District Court

Administrative Code Article 490, Part 2, saying the word Amen during prayers in mosque

35 MFI fine

- Punishing religious teaching of children without state permission

Known administrative cases: 12

Known convictions: 11

200 MFI fines (4 months' average wages): 1 fine

100 MFI fines (2 months' average wages): 3 fines

70 MFI fines (6 weeks' average wages): 5 fines

50 MFI fines (1 month's average wages): 1 fine

35 MFI fines (3 weeks' average wages): 1 fine

3-month bans on activity: 2 bans

1-month bans on activity: 1 ban

Acquitted/case closed: 1 case

Muslim: 6

Unknown faith: 4

Charity: 2

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 3 punishes: "Carrying out missionary activity without state registration (or re-registration), as well as the use by missionaries of religious literature, information materials with religious content or religious items without a positive assessment from a religious studies expert analysis, and spreading the teachings of a religious group which is not registered in Kazakhstan".

The punishment is a fine of up to 100 MFIs, with deportation if the individual is a foreign citizen.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

In 2023, fines were the equivalent of between three weeks' (35 MFIs) and two months' (100 MFIs) average wages for those in formal work.

1) 6 March 2023

Nursultan Zhumabekuly, charity director

Ordabasy District Court

Administrative Code Article 490, Part 1, Point 1, police found teachers from local school giving Islamic lessons to children in Khanym Ana charity dormitory without state permission

50 MFI fine plus 3-month ban on unspecified activity

2) 15 March 2023

Esimbek Kyiyskhan, Muslim

Semei Specialised Administrative Court

Administrative Code Article 490, Part 3, taught Islam to children in charity offices without state permission

100 MFI fine

3) 13 April 2023

Tsumre Shchimeyeva, Muslim

Kordai District Court

Administrative Code Article 490, Part 3, taught Arabic and Koran reading to children under 10 in her home without state permission

100 MFI fine

4) 16 May 2023

Samat Duzelbekov, charity director

Panfilov District Court

Administrative Code Article 490, Part 3, police found Zharkent charity giving Arabic and Islamic lessons to adults and children in charity dormitory without state permission

200 MFI fine plus 3-month ban on unspecified activity

5) 26 May 2023

Zhaksylyk Ibrayev, Muslim

Kyzylorda Specialised Administrative Court

Administrative Code Article 490, Part 3, police found him holding meetings each Thursday in his home to talk about the namaz and discuss material from "Risale-i Nur" (Messages of Light) by the late Turkish Muslim theologian Said Nursi without state permission

Acquitted (Ibrayev's earlier challenge to the police's record of an offence failed)

6) 7 June 2023

Dulat Berdikulov, Muslim

Kazygurt District Court

Administrative Code Article 490, Part 3, National Security Committee (NSC) secret police (https://www.forum18.org/archive.php?article_id=2753) found he taught the Koran to 34 children at madrassah in old mosque in village of Zhigergen, as head of a charitable foundation, without state permission

70 MFI fine

7) 15 June 2023

Izom Soniyev, Muslim

Petropavl Specialised Administrative Court

Administrative Code Article 490, Part 3, taught the Koran to children in his home without state permission

70 MFI fine

8) 31 July 2023

Savronbek Abdazimov, unknown faith

Turkistan Specialised Administrative Court

Administrative Code Article 490, Part 3, taught religion to 63 teenagers, using literature that had not undergone state censorship

70 MFI fine

9) 22 August 2023

Aidarali Azhy, unknown faith

Saryagash District Specialised Administrative Court

Administrative Code Article 490, Part 3, police found he taught religion to children in his home without state permission

70 MFI fine

10) 20 September 2023

Akhmed Khusar, unknown faith

Kordai District Court

Administrative Code Article 490, Part 3, taught religion to children in his home without state permission

100 MFI fine

11) 21 September 2023

Shalkarbek Adyrbekov, Muslim

Turkistan Specialised Administrative Court

Administrative Code Article 490, Part 3, taught religion in mosque to about 20 boys aged 10 to 15 at request of parents without state permission

70 MFI fine

12) 10 November 2023

Oryntai Yeshimov, unknown faith

Shymkent Inter-District Specialised Administrative Court

Administrative Code Article 490, Part 1, Point 3, taught religion in charity office to teenagers without state permission

35 MFI fine plus 1-month ban on unspecified activity

- Punishing involvement of children

Known administrative cases: 1

Known convictions: 1

50 MFI fines (1 month's average wages): 1 fine

Jehovah's Witnesses: 1

Administrative Code Article 490 (https://www.forum18.org/archive.php?article_id=2753), Part 7 punishes leaders of registered religious organisations who fail to abide by the Religion Law's requirement "to take measures not to allow the involvement and/or participation of under age children in the activity of the religious association when one of the parents or their other legal representatives objects".

The punishment is a fine of up to 50 MFIs, with deportation if the individual is a foreign citizen.

The list below gives the date of initial decision by lower court or police, name of defendant, affiliation, court or police issuing decision, Administrative Code article, reason for prosecution, and outcome.

1) 21 September 2023

Mikhail Amanov, Jehovah's Witness

Lisakovsk City Court

Administrative Code Article 490, Part 7, failure to prevent child being present without permission of both parents

50 MFI (equivalent to one months' average wages) fine

(END)

More reports on freedom of thought, conscience and belief in Kazakhstan (<https://www.forum18.org/archive.php?country=29>)

For background information, see Forum 18's Kazakhstan freedom of religion or belief survey (https://www.forum18.org/archive.php?article_id=2753)

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

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