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KAZAKHSTAN: 15-month criminal investigation of anti-war priest

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

Orthodox priest Yakov (Vorontsov) faced difficulties with his diocese after criticising Russia's war against Ukraine in March 2022. After an "emotional" August 2023 Facebook post saying the Russian Orthodox Church "has long had nothing in common with Christianity", police summoned him after an anonymous denunciation and call for him to be prosecuted for inciting religious and ethnic hatred (with a maximum 7-year prison sentence if convicted). Police Investigator Samat Atakhan opened an investigation in December 2023 and – despite one "expert analysis" clearing Fr Yakov – commissioned another and has not closed the case.

In August 2023, Fr Yakov (Vorontsov) wrote a 104-word post on Facebook complaining that the Russian Orthodox Church Moscow Patriarchate – with which he was increasingly disillusioned because of its support for Russia's war against Ukraine – "has long had nothing in common with Christianity". After an anonymous denunciation, Almaty Police summoned him for questioning. In December 2023, Almaty Police began a criminal investigation on charges of incitement of religious or ethnic hatred, which carry a maximum 7-year jail term.

More than 15 months on, and despite an "expert analysis" the Police commissioned clearing Fr Yakov, Police Investigator Samat Atakhan has not dropped the case. Instead he commissioned a second "expert analysis" in December 2024. Although he should have made this available to Fr Yakov he has failed to do so (see below).

Investigator Atakhan refused to discuss the criminal investigation of Fr Yakov with Forum 18 in December 2024. He has not answered his phone despite repeated calls in April 2025. His boss, Lieutenant-Colonel Irina Litvinenko, refused absolutely to discuss the criminal investigation. "I can't give any information," she told Forum 18 and put the phone down (see below).

The Moscow Patriarchate Russian Orthodox Astana and Almaty Diocese – which has defrocked Fr Yakov – commissioned its own "expert analysis" of Fr Yakov's post from Roza Akbarova. Fr Yakov has not been given this analysis, but believes it maintains he incited hatred. Akbarova has provided "expert analyses" which helped jail Seventh-day Adventist, Jehovah's Witness, and Muslim prisoners of conscience for speaking about their beliefs with National Security Committee (NSC) secret police informers (see below).

Fr Yakov earlier considered establishing and trying to register an autocephalous (independent) Orthodox community in Almaty. However, he later decided to explore becoming part of the Ecumenical Patriarchate. He would like to register a community "that strives to become part of the Ecumenical Patriarchate", Fr Yakov told Forum 18. "But if we lodge an application now, officials will check whether I as leader have a criminal record, will find out I am under criminal investigation, and will then use that to pressure those who signed the application" (see below).

The regime has granted a monopoly on Muslim activity to the state-controlled Muslim Board (Muftiate) without ever explaining why it is doing so. The Muslim Board is the only registered Muslim organisation in Kazakhstan, and all mosques must be subject to it. Although a handful of non-Moscow Patriarchate Orthodox communities have state registration, it is unknown if a new community would be able to gain registration (see below).

Laura Shirimbayeva, head of the Religious Affairs Committee's Department dealing with Christian and other communities in the Culture and Information Ministry in Astana, would not say directly if Orthodox communities outside the framework of the Moscow Patriarchate would or would not be allowed to register. "Anyone has the right to lodge a registration application if it meets the requirements of the Religion Law," she told Forum 18 (see below).

Fr Gennady Subbotin – who leads a non-Moscow Patriarchate community in Kostanai Region which had its church taken from it in 2023 – thinks officials listen to the views of the Moscow Patriarchate Church, which does not want other Orthodox jurisdictions to exist. "Most likely they wouldn't give registration if we applied now," he told Forum 18. "They hope that if they make life difficult for us, we'll renounce our position" (see below).

The regime has used criminal charges of "incitement" – as well as of terrorism – to jail numerous individuals for exercising freedom of religion or belief. Two prisoners of conscience, freed after completing long jail terms, remain under restrictions. One has been

banned from attending mosque (see forthcoming F18News article).

Defrocked for anti-war views

Fr Yakov (Vladimir Yuryevich Vorontsov, born 20 February 1986) was a priest of Kazakhstan's Orthodox Church under the Moscow Patriarchate, serving in his native city of Almaty, including at the city's Ascension Cathedral.

Following Russia's full-scale invasion of Ukraine in February 2022, Fr Yakov was the eighth Russian Orthodox clergyman to sign an open letter in March 2022

(https://docs.google.com/forms/d/1yOGuXjdFQ1A3BQaEEQr744cwDzmSQ1qePaaBi4z6q3w/viewform?edit_requested=true) calling for "reconciliation and an immediate ceasefire" in Ukraine.

In spring 2022, the Astana and Almaty Diocese removed Fr Yakov from his teaching role in the seminary as he continued to express anti-war views based on his faith and called for the Orthodox Church in Kazakhstan to separate from the Moscow Patriarchate.

On 19 June 2023, Kazakhstan's Orthodox Church banned Fr Yakov from serving as a priest – among other things for "inciting inter-religious and inter-ethnic discord" - as his case was being considered by the Diocesan Court. The following month the Diocesan Court ruled to defrock him. On 15 July 2024, Kazakhstan's Orthodox Church announced that Russian Patriarch Kirill had confirmed the Astana and Almaty Diocesan Court decision to defrock Fr Yakov.

Book on martyred priest subjected to censorship

In spring 2023, Fr Yakov published a book in Russia, "Spreading the Teaching of Christ", about an Orthodox priest from Tashkent, Fr Konstantin Aksyonov, who was executed in 1937 and is recognised by the Russian Orthodox Church as a martyr.

On 28 December 2024, Fr Yakov spoke about the book on his YouTube channel, with links to how viewers could buy the book. Ten days later he received a message from Almaty Akimat's Religious Affairs Department warning him that he had not submitted his book for the compulsory state censorship (https://www.forum18.org/archive.php?article_id=2753) and that the Religion Law bans the distribution of religious literature that has not undergone state censorship.

Fr Yakov then applied online for approval from Almaty's Religious Affairs Department. This came through a few weeks later. However, Fr Yakov noted on his Facebook page on 5 February 2025 that approval for a religious publication does not mean that any legal place is provided for it to be legally distributed. Promoting the book on YouTube and then sending copies by post would be illegal, he noted. "If you come to my house (or I come to you) and I give you a book of religious content (any), I am breaking the law."

Non-Moscow Patriarchate Orthodox community in Kazakhstan?

Fr Yakov considered establishing an autocephalous (independent) Orthodox community in Almaty. However, he later decided to explore becoming part of the Ecumenical Patriarchate.

On 5 December 2023, Fr Yakov wrote with others to President Kasym-Zhomart Tokayev about his desire to establish in Almaty a representation (Stauropegion) of the Ecumenical Patriarchate in Almaty. Officials of local Internal Policy Departments of Akimats (Administrations) in Aktobe and Petropavl summoned and pressured the local people who had signed the appeal to the President. In Almaty, officials called and pressured an individual who had also signed the appeal, Fr Yakov told Forum 18.

The 21 December 2023 response – seen by Forum 18 – came not from the President but from the Religious Affairs Committee of the Culture and Information Ministry. The response merely set out provisions of the Religion Law on how to register a religious community.

The regime has granted a monopoly on Muslim activity to the state-controlled Muslim Board (Muftiate) without ever explaining why it is doing so. The Muslim Board is the only registered Muslim organisation in Kazakhstan, and all mosques must be subject to it (https://www.forum18.org/archive.php?article_id=2753). Officials punish unregistered Muslim prayers and education (https://www.forum18.org/archive.php?article_id=2900), and forcibly close prayer rooms.

Earlier, the regime was prepared to register non-Moscow Patriarchate Orthodox communities. Several communities - including those of the True Orthodox Church and the Russian Orthodox Church Abroad - existed outside the framework of the Moscow Patriarchate's local dioceses. However, the regime appears now to have a policy of preventing the exercise of freedom of religion or belief by any new Orthodox communities outside the framework of the Moscow Patriarchate.

Laura Shirimbayeva, head of the Religious Affairs Committee's Department dealing with Christian and other communities in the Culture and Information Ministry in Astana, would not say directly if Orthodox communities outside the framework of the Moscow Patriarchate would or would not be allowed to register. "Anyone has the right to lodge a registration application if it meets the

requirements of the Religion Law," she told Forum 18 on 9 December 2024.

Asked if it would register for example a community subject to the Ecumenical Patriarchate, as proposed by Fr Yakov, Shirimbayeva responded: "They have not yet lodged any application." She then put the phone down.

The parish of the Holy Apostles Peter and Paul in the village of Oktyabrskoye in Kostanai Region belongs to the part of the Russian Orthodox Church Abroad that did not join the Moscow Patriarchate in 2007 and which is led by Odessa-based Metropolitan Agafangel (Pashkovsky).

On 2 June 2023, court executors and police ousted the parish from the church (https://www.forum18.org/archive.php?article_id=2843) where its members had worshipped since it took over and renovated the derelict building in 1991. The parish lost a legal challenge lodged by the local Russian Orthodox Moscow Patriarchate diocese.

Officials have not stripped the Russian Orthodox Church Abroad community of state registration, which it first acquired in 1991. "But without a church any more we have to meet for worship in homes," its priest Fr Gennady Subbotin told Forum 18 on 8 April 2025. "Officials haven't interfered during services. But officials presenting themselves as being from the Religious Affairs Department put unofficial pressure on church members, telling them that it is a sect and that they shouldn't keep in contact with me."

Fr Gennady thinks officials listen to the views of the Moscow Patriarchate Church, which does not want other Orthodox jurisdictions to exist. "Most likely they wouldn't give registration if we applied now," he told Forum 18. "They hope that if they make life difficult for us, we'll renounce our position."

Fr Yakov told Forum 18 that the state does not have such an unequivocal ban, but that the Moscow Patriarchate Church exerts a strong influence on officials which could make obtaining registration for a non-Moscow Patriarchate Orthodox community impossible.

"I would like to apply to register an Orthodox community that strives to become part of the Ecumenical Patriarchate," Fr Yakov told Forum 18. "But if we lodge an application now, officials will check whether I as leader have a criminal record, will find out I am under criminal investigation, and will then use that to pressure those who signed the application."

Denounced to police for Facebook post

On 2 August 2023, Fr Yakov wrote a 104-word message on his Facebook page. "Everything Russian irritates and drives me crazy," he wrote. "Especially Russian poetry, which I loved. And even more so - the Russian church - the most disgusting of earthly religions, which has long had nothing in common with Christianity. Don't think that this is hatred or Russophobia. No. This is a defensive reaction."

Shortly afterwards, a group of people sent an anonymous complaint to Almaty City Prosecutor's Office about Fr Yakov's post, calling for it to be investigated for inciting ethnic and religious discord. Anna Shcherbakova revealed on 4 December 2023 on her Facebook page that she had sent a complaint and called for a criminal investigation.

"This statement was submitted by me, on my own initiative, in August (we are now expecting a pack of guests, a support group for the offended and insulted), so that you would finally shut your mouth and stop your destructive activities," Shcherbakova wrote. "And yes, it would be better to tell your new flock the truth, that the statement clearly represents 'insulting the feelings of believers' and 'insulting on the basis of nationality', while in fact you have staged a one-man show, [claiming] that it is because of your support for Ukraine, your position, the FSB [Russian security service] is on your heels, the Russian Orthodox Church initiated the undermining, etc. - nonsense."

On 22 November 2023, Almaty Police summoned Fr Yakov for questioning about the allegations against him in the anonymous denunciations. He was pressured into signing a statement.

Fr Yakov chose to delete the post in late 2023 after police summoned him. "In the text of my post, which became the formal reason for criminal prosecution, I did not intend to offend anyone's feelings or incite hostility towards anyone on religious, ethnic or other grounds," he wrote later. "The text of the post was written emotionally and in a harsh tone, but did not violate the bounds of decency."

Criminal investigation launched

On 27 December 2023, Almaty City Police opened an investigation into Fr Yakov under Criminal Code Article 174, Part 1 over the Facebook post, according to case materials seen by Forum 18.

Article 174 (https://www.forum18.org/archive.php?article_id=2753), Part 1 punishes "Incitement of social, national, clan, racial, or religious discord, insult to the national honour and dignity or religious feelings of citizens, as well as propaganda of exclusivity,

superiority or inferiority of citizens on grounds of their religion, class, national, generic or racial identity, committed publicly or with the use of mass media or information and communication networks, as well as by production or distribution of literature or other information media, promoting social, national, clan, racial, or religious discord" with a maximum punishment of a 7-year jail term.

Samat Atakhan of Almaty City Police's Investigation Department has been leading the investigation into Fr Yakov. On 15 January 2024, he commissioned a "psychological/philological expert analysis" of Fr Yakov's 2 August 2023 Facebook post from Lazzat Sansyzbai, Chief Expert of the Criminal Investigation Service of Almaty's Judicial Expertise Institute.

Sansyzbai completed her analysis (seen by Forum 18) on 22 February 2024. She concluded that Fr Yakov's Facebook post did not contain incitement of hatred, propaganda of superiority or calls for hostile action against individuals. However, Investigator Atakhan did not close the case.

With little indication of when the Police investigation was due to conclude, Fr Yakov appealed to Almaty City Prosecutor's Office, asking it to oversee the investigation. On 10 May 2024, in a response seen by Forum 18, City Prosecutor Serik Karipbekov notified Fr Yakov that his office had "taken control of the course of the pre-trial investigation".

Investigator Atakhan has not imposed any restrictions on Fr Yakov while the investigation drags on. However, it could affect any application he might make for a job, such as in teaching. "I could get a job as a lorry driver perhaps, but not as a teacher," he told Forum 18. "I would have to reveal that I am under criminal investigation."

Second "expert analysis"

On 19 December 2024, Investigator Atakhan informed Fr Yakov that he had commissioned a second "expert analysis" (https://www.forum18.org/archive.php?article_id=2753) of his August 2023 Facebook post. Although such analyses should be completed within 30 days, Fr Yakov says he has not been given the text of the second analysis, nor even been informed whether the analysis has been completed. "They are dragging their feet," he complained.

Fr Yakov says he is unable to say which agency is conducting the second "expert analysis". "I had to sign a declaration not to reveal the secrets of the investigation," he told Forum 18.

Local journalist Daniyar Moldabekov asked Almaty Police why it had not given Fr Yakov a copy of the second "expert analysis". The Police response did not answer this question, Moldabekov wrote on Respublika news website on 3 April. He then asked Police spokesperson Saltanat Azirbek. She responded: "He will be familiarised with it without fail. Under the established procedure."

Orthodox diocese also commissioned "expert analysis"

Fr Yakov said the Russian Orthodox diocese also commissioned its own "expert analysis" from Roza Akbarova. She has provided "expert analyses" (https://www.forum18.org/archive.php?article_id=2753) which helped jail Seventh-day Adventist, Jehovah's Witness, and Muslim prisoners of conscience for speaking about their beliefs with NSC secret police informers.

"I've not been given Akbarova's analysis, but I hear she says I am guilty," Fr Yakov notes. "But her analysis will have less weight as it was privately commissioned."

15-month investigation a "reasonable time"?

Article 192, Part 1 of the Criminal Procedural Code states: "Pre-trial investigation must be completed within a reasonable time, taking into account the complexity of the criminal case, the scope of investigative actions and the adequacy of the investigation of the circumstances of the case, but not more than the statute of limitation for criminal prosecution established by the Criminal Code."

As crimes under Criminal Code Article 174 are deemed to be "extremist" crimes, there is no statute of limitation. This means the investigation into Fr Yakov could continue indefinitely.

Investigator Atakhan refused to discuss anything with Forum 18 on 9 December 2024. He asked Forum 18 to call back the following day. However, he did not answer his phone then, or in early April 2025.

Investigator Atakhan's boss at Almaty Police, Lieutenant-Colonel Irina Litvinenko, refused absolutely to discuss the criminal investigation into Fr Yakov. "I can't give any information," she told Forum 18 on 9 April. She then put the phone down.

Others jailed on "incitement" charges

The regime has used "incitement" charges (Criminal Code Article 174) to jail many individuals (https://www.forum18.org/archive.php?article_id=2753) for exercising freedom of religion or belief. Almost all have been Muslims.

The regime has also used Criminal Code Article 256 ("Propaganda of terrorism or public calls to commit terrorism" - which includes the production, storage for distribution or distribution of [unspecified in the Article] specified materials - committed by an individual using a state or non-state official position, or with the use of the mass media or other communication networks, or with foreign support, or in a group"). (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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