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KAZAKHSTAN: Soviet-era Baptist prisoner again prosecuted

By Igor Rotar, Forum 18

Veteran Soviet-era Baptist prisoner Yakov Skornyakov, who is now 79, again faces prosecution for leading an unregistered religious community. Kadyraly Ospanov, public prosecutor of the town of Taraz in southern Kazakhstan, defended the administrative case he launched against Pastor Skornyakov on 30 March. "Kazakhstan's laws categorically lay down the requirement for a religious community to register and prevent a religious community from operating without registration," Ospanov told Forum 18 News Service. "I am simply obliged to ensure that the law is observed." He promised not to imprison Skornyakov because of his age. In the latest of a rising number of Baptist prosecutions, Pastor Abram Pankrats and Valter Zeman were each fined 400 US dollars on 27 March for leading and hosting the unregistered Baptist church in a village in Jambul region. "He serves the Lord and this requires no registration," the court decision quoted Pankrats as declaring.

On 27 March, massive fines were handed down on Pastor Abram Pankrats for leading an unregistered Baptist congregation and Valter Zeman who owns the home where it meets in the village of Konaevo in Jambul region of southern Kazakhstan. Three days later, the public prosecutor for the nearby town of Taraz, Kadyraly Ospanov, launched a similar administrative case against Baptist pastor Yakov Skornyakov, as well as an investigation into the activities of two of the town's unregistered Baptist churches. Skornyakov, who is now 79 years old, was imprisoned three times under the Soviet regime for his religious beliefs. "What do you want me to do? Kazakhstan's laws categorically lay down the requirement for a religious community to register and prevent a religious community from operating without registration," Ospanov told Forum 18 News Service from Taraz on 12 April. "As the town's public prosecutor, I am simply obliged to ensure that the law is observed."

At the same time, Ospanov assured Forum 18 that Skornyakov "will not have significant problems". "We are not beasts. I am sure that the court will take his age into account. Imprisonment, even for a few days, cannot be a consideration for Skornyakov." It is not yet known when Skornyakov's case will be heard by the administrative commission.

Article 375 of the Code of Administrative Offences allows religious believers to be punished for leading or participating in unregistered religious activity, a provision which religious freedom activists and a member of the human rights ombudsman's office in the capital Astana have told Forum 18 must be removed for Kazakhstan to meet its international human rights commitments (see F18News 1 March 2006 http://www.forum18.org/Archive.php?article_id=735).

Skornyakov's congregation – like all other congregations of the Baptist Council of Churches – refuses to register on principle with the authorities in any of the post-Soviet countries. They believe such registration leads to unacceptable government interference in their internal affairs. It remains unclear what form Ospanov's "investigation into how the law of the Republic of Kazakhstan on freedom of religion and of religious associations is applied in the activity of the Council of Evangelical Christian Baptist Churches" will take. Ospanov has named his senior assistant, V. Tsoi, to lead the investigation.

On 27 March, the Shu district court imposed the fines of 51,500 tenge (2,592 Norwegian kroner, 330 Euros or 400 US dollars) each on Pastor Pankrats and Zeman under Article 374-1, part 2, of the administrative code, local Baptists told Forum 18. (The government estimates the average monthly wage at just over 30,000 tenge.) According to the court ruling, of which Forum 18 has received the text, Pankrats "without recognising his guilt" openly declared at his hearing that he leads the church. "He serves the Lord and this requires no registration," the court decision quotes Pankrats as declaring.

On 28 March Baptists from Taraz wrote to Kazakhstan's president Nursultan Nazarbayev to complain of pressure on their congregations in the town and the rising number of such prosecutions across Kazakhstan. They said the pressure takes the form of visits by representatives of the prosecutor's office to church services. Officials take photographs or video footage of church members without their consent, write down the names of those at services and draw up reports. They then put together cases alleging administrative offences which they bring to court. Church members are then fined or, on occasion, given short terms of imprisonment.

On 27 February Taraz Specialised Administrative Court sentenced fellow Baptist pastor Pyotr Panafidin to three days' detention for refusing to pay his fine of 101,955 tenge (4749 Norwegian kroner, 611 Euros or 759 US dollars) imposed last September for refusing to register his congregation. His home has been threatened with confiscation to pay the fine despite the fact that he has nine

children and is disabled (see F18News 1 March 2006 http://www.forum18.org/Archive.php?article_id=735).

The Baptists also complained of similar recent fines imposed on Sergei Sologub in Merke in Jambul region, Asan Abylkhanov of Karatau in central Kazakhstan, Valeri Pak of Kyzylorda in south-western Kazakhstan, Vasili Kliver of Aktobe in central Kazakhstan and Sergei Krasnov of Oral (Uralsk) in northern Kazakhstan. All were fined for refusing to register the churches they lead.

In July 2005, President Nazarbayev signed a law amending a range of national security laws (see F18News 15 July 2005 http://www.forum18.org/Archive.php?article_id=608). Included was an amendment to the religion law to ban the activity of unregistered religious organisations (Kazakhstan thereby joined two of the other Central Asian republics, Uzbekistan and Turkmenistan, whose religion laws forbid the activity of unregistered religious organisations in defiance of international human rights commitments).

Even before the adoption of this law, under Article 375 of the administrative code a religious community's refusal to register was seen as grounds for prosecution. State officials effectively interpreted registration as compulsory. Essentially, the national security amendments simply legalised a long-established practice. (END)

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

For more background, see Forum 18's Kazakhstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=701 and articles on the 2005 "national security" legal amendments at http://www.forum18.org/Archive.php?article_id=608 and http://www.forum18.org/Archive.php?article_id=625

A printer-friendly map of Kazakhstan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=kazakh>

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