

1 June 2006

KAZAKHSTAN: "Why register yet another group of believers?"

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

Two Protestants in western Kazakhstan are facing prosecution and large fines for belonging to an unregistered religious community, which has tried to register five times in five years, Forum 18 News Service has learnt. This is the latest instance of Kazakh official intolerance of religious freedom, in which new "national security" amendments to the Administrative Code are used against unregistered religious activity. Salobek Sultanov, of the Committee for Relations with Religious Organisations, told Forum 18 that "this small handful of people constantly kicks up a fuss. My personal view is why register yet another group of believers when we already have so many churches here? There's an Orthodox and a Catholic church in Atyrau. We respect believers of all confessions." He was unable to explain to Forum 18 why Jehovah's Witnesses as well as Protestants are repeatedly denied registration. Aleksandr Klyushev, of the Association of Religious Communities of Kazakhstan, told Forum 18 that "the national authorities certainly share responsibility for this. If they didn't like the religious policies of the officials in Atyrau they could easily sack them."

Two members of a group of Protestants in Kulsary, a town in western Kazakhstan about 200 kilometres (125 miles) south-east of the regional centre Atyrau, close to the Caspian Sea, are facing prosecution merely for belonging to an unregistered religious community, Forum 18 News Service has learnt. One person has previously had a large fine imposed on him in late May, under Article 374-1 of the Code of Administrative Offences. This article punishes "leadership of and participation in the activity of public and religious associations that have not been registered in accordance with the law of the Republic of Kazakhstan, as well as financing their activity", despite having tried in vain to register the community over the past five years.

Article 374-1 was added to the Administrative Code on alleged "national security" grounds in July 2005 (see F18News 15 July 2005 http://www.forum18.org/Archive.php?article_id=608).

This is the fourth occasion known to Forum 18 on which it has been used against unregistered religious activity, the previous cases being two unregistered Baptist pastors on 27 March. In addition, Taraz Specialised Administrative Court fined 79-year-old Baptist pastor Yakov Skorniyakov 123,600 Tenge (6,200 Norwegian Kroner, 800 Euros or 1,000 US Dollars) on 18 April (see F18News 13 April 2006 http://www.forum18.org/Archive.php?article_id=759).

Prosecutions of unregistered religious activity since July 2005 have also been made under Article 375 of the Administrative Code (see eg. F18News 1 March 2006 http://www.forum18.org/Archive.php?article_id=735 and 13 April 2006 http://www.forum18.org/Archive.php?article_id=759).

Since the beginning of 2006, the police in Kulsary have launched two raids on private flats where the Protestants were meeting. After these raids, the town prosecutor's office initially brought a case against some of them under Article 375 of the Code of Administrative Offences, which punishes refusal by a religious community to register. "But we succeeded in showing the court that this was just absurd," Taraz Samulyak of the Protestant group told Forum 18, "since we had tried five times to register ourselves." He said the prosecutor's office had then brought a case under Article 374-1.

The Administrative Commission for Kulsary district fined one of the Protestant group's leaders Azat (last name unknown) 50,000 Tenge (2,515 Norwegian Kroner, 323 Euros, or 412 US Dollars), a large sum in a country where average monthly wages are estimated to be roughly equivalent to 260 US Dollars (1,589 Norwegian Kroner, 204 Euros, or 31,535 Tenge). Azat immediately appealed against the fine, which was imposed under Article 374-1. He has also written a joint letter of complaint to the Atyrau Regional Prosecutor's Office with Taraz Samulyak, who is also facing prosecution. Samulyak's case has been deferred, after he wrote asking for the judge assigned to the case to be removed.

The Protestant group has made five attempts since 2001 to register as a religious community with the Atyrau regional Justice Administration, Samulyak told Forum 18 on 25 May. But each time the department has found some reason to refuse. He said that, without registration, the Protestants are unable to hold religious meetings because police keep raiding the private flats where they gather.

Professor Roman Podoprighora, a Kazakh legal expert on religious law, has noted that the law contradicts itself over whether or not

registration is actually compulsory (see F18News 8 December 2005 http://www.forum18.org/Archive.php?article_id=701).

Salobek Sultanov, assistant to the head of the Committee for Relations with Religious Organisations for Atyrau region, said his office had received a complaint from the Protestants in Kulsary. "This small handful of people constantly kicks up a fuss," he told Forum 18 from Atyrau on 30 May. "My personal view is why register yet another group of believers when we already have so many churches here? There's an Orthodox and a Catholic church in Atyrau. We respect believers of all confessions." Sultanov blamed the Justice Administration's refusal to register the Kulsary Protestants on the community itself, claiming they were unable to fill in the necessary documents properly.

Zhanna Isdanova, head of the Department for Civil Cases at the Atyrau Prosecutor's Office, totally refused to discuss the prosecution of the two Protestants. "I talked to my boss and we cannot give out any information by telephone about any cases – it's against the rules," she told Forum 18 from Atyrau on 1 June. She did not explain which rules she meant.

The police feel free to insult Protestants, Samulyak complained, and also demand that Protestants sign documents saying that they belong to an illegal religious organisation. The head of the local school has called in the Protestants' children and has demanded that they leave their "sect", accusing them of being "Wahhabis."

This is a term widely and usually wrongly applied in Central Asia to denote Muslims who the authorities dislike. Some Uzbek official have even used it to denote Jehovah's Witnesses. In Kazakhstan, children have been told by teachers that attending Christian prayer meetings "can even cause death," and turn them into suicide bombers (see F18News 27 May 2005 http://www.forum18.org/Archive.php?article_id=571).

Aleksandr Klyushev, chairman of the Association of Religious Communities of Kazakhstan, thinks that the Kulsary Protestants' problems are mainly a result of the harsh policies pursued by the Atyrau regional administration towards religious minorities. "The region administration pursues a much harsher policy towards religious minorities than the administrations of other regions," he told Forum 18 on 1 June. "But the national authorities certainly share responsibility for this. If they didn't like the religious policies of the officials in Atyrau they could easily sack them." Klyushev said he had informed Lyudmila Danilenko, head of the Department for Registering Religious Organisations in the Committee for Religious Affairs, about the Protestants' registration problems.

Danilenko refused to discuss anything with Forum 18, claiming that she did not trust journalists on principle.

Also having problems in Atyrau are the Jehovah's Witnesses. In May 2001 they started the registration process with the local Justice Administration, which passed the documents to an expert commission to examine. In 2003 the application was rejected. In January 2004 the Jehovah's Witnesses lodged another application. In March 2004 this application was also rejected, as the Justice Administration claimed that the Kazakh translation of the statute did not match the Russian original – even though the Jehovah's Witnesses have successfully used the same translation elsewhere in Kazakhstan.

On 5 August 2005, the community lodged a further application with another certified translation. On 19 August the Justice Administration informed them that the deadline for an official reply was being extended. (The Jehovah's Witnesses question the officials' right to do so and wrote to ask them why this was being done). On 12 December 2005 the application was rejected, the Justice Department claiming that some entries on the application form had not been filled in, even though the community had checked that there were no mistakes on the form with Justice Department specialists before they lodged the application. The Jehovah's Witnesses believe this is just the latest excuse.

Anatoli Melnik, the deputy chairman of the council of Jehovah's Witnesses in Kazakhstan, told Forum 18 that the Jehovah's Witnesses are having "certain problems" in Atyrau. "At the present time, this is the only region in Kazakhstan where we are not succeeding in registering our community," he told Forum 18 on 25 May. "I don't want to over-dramatise the situation, though. We can function perfectly well without registration. And so far at least we haven't had any problems."

Salobek Sultanov, of the Committee for Relations with Religious Organisations for Atyrau region, was unable to explain to Forum 18 why the Jehovah's Witnesses, as well as Protestants, have been repeatedly denied registration. (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

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

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

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY