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KAZAKHSTAN: "Protect us from officials' lawlessness"

By Mushfig Bayram, Forum 18

Mosques in Kazakhstan continue to be denied re-registration - and so permission to exist - if they will not join the state-backed Muslim Board, Forum 18 News Service has found. Independent and ethnic minority mosques are being particularly targeted. In one example, Imam Nurmuhammed Ahmedyanov of Abai District Mosque was "deceived .. into writing a letter" to a court that "I do not mind the liquidation of the Mosque". The Mosque has now been closed and officials denied all responsibility when questioned by Forum 18. Members of the only remaining ethnic Tatar-Bashkir mosque, the historic Din-Muhammad Mosque in Petropavl, have come under heavy pressure. For example, one night the state Agency of Religious Affairs (ARA) telephoned the Imam and some elderly members of the community for an 09.00 meeting with the Head of the Region's administration Serik Bilyalov. He threatened them that if they did not join the Muslim Board the community would be liquidated and the mosque would be taken over by the local authorities who would use it for some public non-religious purpose. A central ARA official claimed to Forum 18 that "there is no pressure on the mosques".

Mosques in Kazakhstan continue to be denied re-registration - and so permission to exist - if they will not join the state-backed Muslim Board, Forum 18 News Service has found. All Islamic communities are under the 2011 Religion Law being forced to join the Muslim Board, and all unregistered religious activity is under the same Law illegal. Some other Muslim communities are negotiating with the Muslim Board over how far they have to accept the Board's conditions, while others continue to function precariously, risking possible enforced closure and confiscation of their mosques.

Two mosques in Karaganda [Qaraghandy] Region - Abai District Mosque and Tautan Molla independent Mosque in the town of Prishakhtinsk - were stripped of registration. They reluctantly tried to join the Muslim Board, but did not succeed and so cannot continue to exist.

As well as independent mosques, ethnic minority mosques are also being particularly targeted. Two Azerbaijani Shia Mosques in Almaty - Fatimai and Huseini - are continuing a precarious existence now they too have been stripped of registration. The Tatar-Bashkir Din-Muhammad Mosque in North Kazakhstan Region has not been stripped of registration, but its re-registration application has not been accepted processed. Community members fear imminent enforced closure of their historic mosque, built in 1852 and open since then apart from in Soviet times, and have been trying to negotiate with the Muslim Board to save the Mosque.

The 2011 Religion Law forced all religious communities to apply to be re-registered by 25 October 2012. Officials have refused to register any Muslim communities apart from the Muslim Board and its affiliated mosques. The Muslim Board's spokesperson told Forum 18 that all Islamic communities "must be Hanafi Sunni Muslim". "We don't have other sorts of Muslims here" (see F18News 22 November 2012 <http://www.forum18.org/Archive.php?article_id=1769>).

"All mosques" must belong to Muslim Board

Serik Tlekbayev, Head of the Karaganda Region Agency of Religious Affairs (ARA) Department, and Zhandulla Begzhigitov, a Muslim Board official responsible for communication with mosques, both insisted that all mosques must belong to the Muslim Board.

"Mosques cannot be independent - they must belong to a higher structure," Tlekbayev insisted to Forum 18 on 22 January. "One such structure exists in Kazakhstan - the Muslim Board." When Forum 18 asked why, he laughed. "Are mosques now some kind of commercial structures serving private pockets?" Asked what exactly he meant by "serving private pockets", Tlekbayev said, "I mean the mosques must serve the people of Kazakhstan."

Kazakhstan has been insisting that "mosques cannot be independent" and pressuring independent mosques to join the Muslim Board since even before the latest Religion Law was introduced. Amongst independent mosques' objections to the Board has been its insistence that it must take 30 per cent of all mosque income (see F18News 14 October 2010 <http://www.forum18.org/Archive.php?article_id=1498>).

Begzhigitov of the Muslim Board claimed to Forum 18 on 23 January that, "based on the Religion Law, all mosques should belong

to the Muslim Board". There is nothing in the Religion Law which states that mosques must belong to the Muslim Board.

Galym Shoikin, Deputy Head of the ARA in the capital Astana, contradicted his colleagues. He told Forum 18 on 22 January that "all the re-registered mosques are those that have joined the Muslim Board." Asked why this is demanded, and whether the Tatar-Bashkir, Tautan Molla and other still unregistered mosques will be able to retain their independence, he said he could "not comment on the details of those mosques". But he insisted that "the Religion Law does not require mosques to become part of the Muslim Board".

Told of ARA Deputy Head Shoikin's statement on the Religion Law, Begzhigitov of the Muslim Board rapidly changed his own claim. "It's up to the authorities how they register mosques, but if communities decide to join the Board then they must agree to our conditions."

Senior state officials from a wide variety of government ministries are insistent that the state controls the Muslim Board, which must control all mosques (see F18News 29 November 2011 <http://www.forum18.org/Archive.php?article_id=1640>).

Abai District Mosque "permanently" closed down

Karaganda Region's Abai District and Tautan Molla Mosques have since 2009 resisted the authorities' pressure to make them join the Muslim Board. Tautan Molla Mosque was closed down through court order in November 2012, as also were some other Muslim communities and churches (see F18News 11 December 2012 <http://www.forum18.org/Archive.php?article_id=1780>). Abai District Mosque was also closed down by court order.

Imam Nurmuhamed Ahmedyanov of Abai District Mosque said he submitted the re-registration application in September 2012. "[ARA Department Head] Tlekbayev openly told me that unless we join the Muslim Board, we will not get registration."

In late October "when I under pressure realised I could get in trouble with the authorities, I together with my mother went to Almaty to see the Chief Mufti [Absattar Derbisali] and get his approval to accept us in the Board." Ahmedyanov was given a promise that the Abai Mosque would be registered. On 24 October Board officials faxed him a letter signed by Mufti Derbisali, a copy of which Forum 18 has seen, stating that the Mosque was accepted as a branch of the Muslim Board (see F18News 5 November 2012 <http://www.forum18.org/Archive.php?article_id=1763>).

Imam deceived

Board officials then asked Imam Ahmedyanov to go to the Karaganda Regional ARA Department to receive the Registration Certificate on 15 November. At that meeting Karlygash Akhmetova, Deputy Chair of the regional ARA Department, "deceived me [Ahmedyanov] into writing a letter" to the Regional Economic Court that "I do not mind the liquidation of the Mosque". The Imam told Forum 18 that Akhmetova of the ARA "promised me" that the mosque community will soon receive registration as a member of the Muslim Board.

Judge Aygul Smailova of Karaganda Region's Specialised Inter-District Economic Court on 16 November ordered the closure of the Abai Mosque, according to the court decision seen by Forum 18.

Later in November when Imam Ahmedyanov again approached the ARA Department to ask for the certificate "Tlekbayev [Head of the regional ARA Department] called me a fraud and crook, and said that we will not be registered," the Imam told Forum 18 on 17 January 2013. Tlekbayev accused the Imam of falsifying the signature of the Chief Mufti.

Asked why the ARA Department deceived Imam Ahmedyanov into thinking that he will receive registration and to consenting to the Mosque's closure, Tlekbayev on 22 January denied all responsibility. He told Forum 18 that: "This is not our problem, it is between the Muslim Board and him."

Regional ARA Head Tlekbayev denied that he had accused the imam of falsifying the Mufti's signature. "The document was faxed, which is not acceptable, and it was prepared and sent without the knowledge of the Mufti." Tlekbayev claimed he had told Imam Ahmedyanov to meet the Mufti in person and get his approval. Told that the Imam had done so and that the documents were prepared and faxed by Muslim Board officials, Tlekbayev claimed: "It does not matter, official documents cannot be faxed."

Begzhigitov of the Muslim Board had told Forum 18 on 11 December 2012 that when he and Chief Mufti Derbisali were on the Haj pilgrimage, his Deputy (he did not give his name) "because he is new in the Board and inexperienced" put a photocopy of the Chief Mufti's signature on the approval letter. He then told the Regional ARA Department to send back the documents.

Asked why Board officials prepared the Abai Mosque documents in a way that the ARA claims is unacceptable, which resulted in the Mosque losing its legal status, and which now is legally and practically closed down, Begzhigitov claimed to Forum 18 on 23 January: "It's not our fault, they wanted to join the Board."

"Mosque has been legally and practically closed"

"Our Mosque has been legally and practically closed down for worshippers since early January," Imam Ahmedyanov complained. "After the new year [2013] began I had to send about 200 worshippers to the new [Muslim Board] mosque." About 15 worshippers told the Imam they wanted to continue to worship in their building, he told Forum 18. "I refused, telling them that I do not want to get in trouble with the authorities and the Law, and end up in prison or paying a huge fine."

Asked whether the Muslim Board will accept the Abai and Tautan Molla mosques as members, Begzhigitov of the Muslim Board responded: "We decided we do not want any private mosques in the Region, especially since a new big mosque was opened in Abai District." Asked whether he does not think that the rights of those Muslims who do not wish to attend the new big mosque are being violated, he replied: "You are not a Muslim, and you don't understand that there is no concept of a private mosque in Islam."

Asked why he does not want to pursue new registration, Imam Ahmedyanov replied: "I am sick and tired of the pressure from the authorities. I don't believe the authorities will register us or it will be possible to cooperate with them. We will always be in trouble."

Along with other independent mosques, Imam Ahmedyanov and his congregation have been continually harassed to join the Muslim Board by the authorities for some years (see eg. F18News 14 October 2010 <http://www.forum18.org/Archive.php?article_id=1498>). This has included such tactics as daily telephone calls (see eg. F18News 16 September 2011 <http://www.forum18.org/Archive.php?article_id=1613>).

ARA Press Secretary Svetlana Penkova claimed that Islamic communities unable to gain re-registration "can still receive registration as new associations". Told that Muslims - based on their negative experiences of the authorities - did not think that their independent mosques will receive registration, Penkova claimed to Forum 18 from Astana on 21 January that "they should still struggle for their rights, and eventually will receive it".

Karaganda closure

The Tautan Molla Mosque in Karaganda was closed down by the same Karaganda Region Specialised Inter-District Economic Court on 29 November 2012 (see F18News 11 December 2012 <http://www.forum18.org/Archive.php?article_id=1780>). Imam Kinayat Ismailov told Forum 18 on 25 January that the mosque community is challenging the closure in the Regional Court, but no date for the appeal hearing has been set.

Imam Ismailov lamented that "all these problems began for us because we refused to join the Muslim Board. Although we later agreed that we would like to join it, this did not change the authorities' opinion of us". He added that he left an official letter at the Muslim Board in early December 2012 requesting to join, but has received no response.

Shia Mosques liquidated

On 6 December 2012, Judge Gaukhar Zapparova of Almaty Specialised Inter-District Court closed down the second of the city's ethnic Azerbaijani Shia Communities - Huseini Mosque, according to the decision seen by Forum 18.

Since the Religion Law came into force, officials have redoubled efforts to close down all ethnic minority mosques (see F18News 7 December 2012 <http://www.forum18.org/Archive.php?article_id=1778>). This long-standing pressure also has the aim of forcing ethnic minority mosques to join the Muslim Board (see F18News 4 November 2010 <http://www.forum18.org/Archive.php?article_id=1506>).

Azerbaijani Shia believers from Almaty, who wished to remain unnamed for fear of state reprisals, told Forum 18 on 21 January that Nurzhan Zhaparkul, Head of Almaty Regional ARA Department, told them that the Huseini Mosque had been liquidated as it did "not apply for re-registration at all".

The city's other ethnic Azerbaijani Shia mosque - the Fatimai Community in Zhetisu District of Almaty - was officially liquidated by the same Almaty court on 6 December 2012, according to the decision seen by Forum 18. Zhaparkul declared then that the Fatimai Mosque asked for re-registration "one or two days before the deadline when it was very late to register them" (see F18News 7 December 2012 <http://www.forum18.org/Archive.php?article_id=1778>).

Forum 18 asked ARA regional head Zhaparkul why Shia Muslim communities cannot be re-registered independently. "In order to be an independent Mosque, among other requirements they need to have a mosque building which corresponds to the prerequisites for a place of religious worship," Zhaparkul responded on 18 January. "They do not have this."

Zhaparkul claimed that in one of Kazakhstan's regions a Shia Community had joined the Board and continues its activities. However, he refused to identify the community. Asked whether the community still holds its distinct Shia rituals, he could not say.

However, Zhaparkul insisted that "there is always a solution to the problems." The ARA Department "advised the Huseini

Community to continue their religious traditions in a different format without registering as a mosque." Asked what this format exactly was, he refused to explain, referring Forum 18 to the Community.

Haji Azizaga Gambarov, a founder of the Fatimai Community, told Forum 18 on 18 January that "it is not possible to register our community as a mosque, and we were advised to carry out our religious activity under the auspices of the Azerbaijani Culture Centre [in Almaty]." He declined to discuss who advised them. However, he added that the Community continues to meet for prayers "so far without problems".

Final days for Tatar-Bashkir Mosque?

Another Muslim Community not yet liquidated by a Court, but pressured by the authorities to join the Muslim Board is Kazakhstan's only remaining ethnic Tatar-Bashkir mosque. Members of Din-Muhammad Mosque in Petropavl in North Kazakhstan Region lamented to Forum 18 that although they do not mind joining the Board, they have not yet been able to agree the terms for joining it.

The mosque community lodged a re-registration application before the October 2012 deadline, but has received no response. The historic mosque was built in 1852, and has been open since then apart from when it was closed during Soviet times (see F18News 7 December 2012 <http://www.forum18.org/Archive.php?article_id=1778>).

"Protect us from officials' lawlessness"

Mosque members told Forum 18 on 25 January that they wrote a letter to President Nursultan Nazarbaev, signed by Imam Ryazapov and several other members of the Community on 23 January, which Forum 18 has seen. They ask Nazarbaev to defend the Community's constitutional rights and "protect us from officials' lawlessness".

The letter notes that Tatar-Bashkirs have a long history of living in Kazakhstan, and that in view of their linguistic barriers among other reasons they wish to have their own mosque. They note that from late on the night of 20 December until the early morning of 21 December ARA regional specialist Bulat Omarov telephoned the Imam and some elderly members of the community for an 09.00 meeting on 21 December with the Head of the Region's administration Serik Bilyalov. At that meeting Bilyalov told community members that they must join the Muslim Board and demanded that they stop trying to gain re-registration as an independent mosque. If they did not do this, Bilyalov threatened that the community would be liquidated and the mosque would be taken over by the local authorities who would use it for some public non-religious purpose.

North Kazakhstan Regional Administration told Forum 18 on 25 January that Serik Bilyalov was replaced on 22 January by Samat Yeskenderov as the new Akim (Head of Administration). However, Forum 18 was referred to Aydarbek Saparov, the First Deputy of the Akim. Saparov, who worked under Bilyalov, told Forum 18 that "no one threatened the Din-Muhammad Mosque but they were invited to join the Muslim Board. They were promised that - unlike other mosques - they would not have to pay the Muslim Board from their income, and they would be given the freedom to choose their own Imam."

Saparov also stated that "Bilyalov was not sacked, but will be promoted to a higher national position".

On 4 January 2013, Nurislyam Gabdullin, Chair of the regional ARA Department, responded to the Community. The letter, which Forum 18 has seen, says that the time within which the ARA's "expert opinion" on the Community's Charter will be given has been again extended for 30 calendar days.

The community has been waiting for the "expert opinion" since July 2012. On 22 January 2013, an official (who would not give his name) who answered the phone at the North Kazakhstan Regional ARA Department told Forum 18 that the Mosque's documents are being checked by "experts". He refused to explain why this is taking so long and why an extra month is needed. He also said that no one including ARA regional head Gabdullin or any other officials were available to comment. "Please, send us your questions in writing," he said before putting the phone down.

Members of the Community, who wished to remain unnamed for the fear of the State reprisals, lamented to Forum 18 on 23 January that Gabdullin's 4 January letter means that "we were given until early February to join the Muslim Board, and we fear that these are our final days of existence as a Community." They say that this time is given "not for the expert opinion since the authorities know full well what is in the documents, but for us to agree with the all the conditions of the Muslim Board, and thus be totally controlled by them."

Asked whether the Muslim Board will accept the Tatar-Bashkir Mosque, the Board's Begzhigitov told Forum 18: "We cannot accept them at the moment since their Imam [Rafael Ryazapov] does not want to pass a test with us." Asked what other conditions the Board is putting forward to the Community, he replied: "Basically the Mosque must be under our control." Mosques must also hand over 30 per cent of all mosque income to the Muslim Board (see F18News 14 October 2010 <http://www.forum18.org/Archive.php?article_id=1498>).

Asked whether the Community could have a Tatar Imam and preaching in Tatar, Begzhigitov claimed that those conditions "could

be met".

Told Begzhigitov's claims that the Muslim Board might accept a Tatar Imam and allow preaching in Tatar and that Imam Ryazapov should pass a test at the Board, Community members responded: "The real problem is that we agree to join the Board only if we can keep the ownership of the building and the right to appoint our own Imam, which the authorities or the Board do not want."

"I cannot say whether or not we will re-register it"

Nurbol Kabyldyk, Chief Specialist of North Kazakhstan Regional ARA Department, told Forum 18 on 21 January that Department Head Gabdullin was on sick leave. Asked why his Department extended the term of considering the Tatar-Bashkir Community's re-registration Kabyldyk refused to say. "I cannot say whether or not we will re-register it," he told Forum 18.

Asked why the authorities did not re-register mosques outside the Muslim Board, Kabyldyk replied: "You could call back tomorrow and ask the official who oversees this issue." However, he did not give the official's name.

"No pressure on the mosques"?

Asked why all Mosques across Kazakhstan were made to join the Muslim Board and why they cannot be independent, ARA Press Secretary Penkova claimed: "There is no pressure on the mosques, and those that joined the Muslim Board did so voluntarily." Asked whether there are any independently registered Mosques and, if so, whether she could name some, Penkova asked Forum 18 to call back the following day. "I need to look in the files," she explained.

On 22 January her phones went unanswered and an official from the Press Secretary's office claimed that no one including Penkova was available to talk. "They are all busy and out of the office," the official, who did not give her name, told Forum 18. (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=1352>.

More reports on freedom of thought, conscience and belief in Kazakhstan can be found at <<http://www.forum18.org/Archive.php?query=&religion=all&country=29>>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at <http://www.forum18.org/Archive.php?article_id=1351>.

A printer-friendly map of Kazakhstan is available at <<http://education.nationalgeographic.com/education/mapping/outline-map/?map=Kazakhstan>>.

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