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KAZAKHSTAN: Large fines as official tells Baptists not to appeal to UN or OSCE

By Mushfig Bayram, Forum 18 (https://www.forum18.org)

Two Baptists have been given large fines for peaceful religious activity, Forum 18 News Service has learnt. Pyotr Panafidin and Ivan Friesen were each fined 116,800 Tenge (4,900 Norwegian Kroner, 600 Euros, or 970 US Dollars) in separate cases. Elsewhere, another Baptist, Dmitry Jantsen, was warned by officials that his congregation and several others would be closed down and that he would be jailed. One official, Serik Tlekbaev of the Justice Department, told Jantsen "not to try to appeal to international organisations such as the United Nations (UN) or the Organisation for Security and Co-operation in Europe (OSCE), because they will not be of any help to you," Jantsen told Forum 18. Tlekbaev also stated that "Kazakhstan will be Chairman-in-Office of the OSCE in 2010, and it will then be of no use to you to talk to the OSCE." Tlekbaev has denied to Forum 18 that he made these statements. Officials have also again threatened to demolish a Hare Krishna temple near Almaty.

As Kazakhstan continues to punish those involved in peaceful unregistered religious activity, two Baptists have been given record fines earlier in March and one elder warned that he would be imprisoned if his congregation continues to meet for worship without state registration, Forum 18 News Service has learned. Meanwhile, authorities of Almaty Region have warned members of the Hare Krishna commune in Karasai district to vacate their premises and the land which was taken away from them by a court decision, and that they would start demolishing their temple in one week in any case.

Council of Churches Baptists, who refuse on principle to register their congregations with the State, have long faced heavy fines and threats of closures of their churches.

Forum 18 reached Amanbek Mukhashev of the Religious Affairs Committee in Astana on 25 March to ask why Kazakhstan limits people who want to gather together and worship without having State registration. He was not willing to talk. "How many times can we ask you to communicate with us only through letters?" Asked why fines for unregistered religious activity have reached such high levels, he responded that organisations or individuals are not fined right away, but warned several times first and only then fined.

Dmitry Jantsen, who leads a Baptist congregation in Temirtau in the northern Karaganda [Qaraghandy] Region, told Forum 18 that he was summoned to the Temirtau Justice Department on 12 March. Officials warned him that his congregation - along with several other Baptist congregations in Kazakhstan - would be closed down and he personally would be jailed. Present at the meeting and echoing the warning, he stated, were Justice Ministry officials from the capital Astana and the Karaganda Regional Justice Department.

"Serik Tlekbaev, the Head of Religious Affairs Unit of the Justice Department, told me not to try to appeal to international organisations such as the United Nations (UN) or the Organisation for Security and Co-operation in Europe (OSCE), because they will not be of any help to you," Jantsen told Forum 18 from Temirtau on 19 March.

Tlekbaev also told Jantsen that "Kazakhstan will be Chairman-in-Office of the OSCE in 2010, and it will then be of no use to you to talk to the OSCE."

Tlekbaev denied to Forum 18 on 25 March that he had made these comments about the UN and OSCE. Kazakh officials have previous expressed contempt for international human rights agreements (see F18News 2 June 2006 http://www.forum18.org/Archive.php?article_id=793).

During the meeting with Tlekbaev and other officials, Jantsen of the Baptists was handed a letter signed by Amangeldy Bekzhanov, the Head of the Temirtau Justice Department. The 1 February letter, which Forum 18 has seen, warns Jantsen to register his congregation with the state within a month. It goes on to warn him that if he does not comply, he will be fined under Article 375, part 1 of the Code of Administrative Offences, which punishes evading registration of religious activity. If Jantsen further refuses to pay any fines, then criminal proceedings against him would be started, the letter adds.

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However, Tlekbaev denied to Forum 18 that they had ever summoned Jantsen to the city Justice Department. "We have only asked him to keep in touch with us and attend the round tables the department organises," he claimed to Forum 18 on 25 March. Tlekbaev refused to say directly whether the Baptists would be punished if they did not attend. "They are good people; they would attend because Jantsen promised us to."

Asked whether it is obligatory under the current law to have registration if people want to gather and worship together without being a community in the official and organisational sense of the word, Tlekbaev said it is legal to continue meeting without being a community. "But if the number of people exceeds 10 then we consider it as a community," he insisted.

Professor Roman Podoprigora, a Kazakh law professor specialising in religious law, has pointed out that Kazakh law contradicts itself over whether or not registration is compulsory (see F18News 4 August 2005 http://www.forum18.org/Archive.php?article_id=625).

Elsewhere in Kazakhstan, two Council of Church Baptist pastors were each given fines of 116,800 Tenge (4,900 Norwegian Kroner, 600 Euros, or 970 US Dollars) in separate cases in March, for unregistered peaceful religious activity. It has been estimated that average monthly salaries in Kazakhstan are in the region of approximately 18,000 Tenge (760 Norwegian Kroner, 95 Euros, or 150 US Dollars).

The Prosecutor of Taraz city, in Zhambyl Region in southern Kazakhstan, Kulzipa Abdrakhmanova, brought a case on 3 March against Pyotr Panafidin, the elder of a local Baptist congregation. He was charged with unregistered religious activity, Baptists told Forum 18 on 19 March.

On 13 March Judge Zharas Arystanbekov of Taraz city Administrative Court found Panafidin guilty under Article 374-1, Part 1 of the Administrative Code for leading a religious community without being registered. He was fined 116,800 Tenge (4,900 Norwegian Kroner, 600 Euros, or 970 US Dollars). Baptists told Forum 18 that Panafidin lodged an appeal against the fine.

Panafidin has been fined five times previously for unregistered peaceful religious activity, and in February 2006 was jailed for three days (see F18News 1 March 2006 http://www.forum18.org/Archive.php?article_id=735).

On 3 March in the southern city of Almaty, Judge Aytgul Argimbaeva of the Almaty city Administrative Court found Pastor Ivan Friesen guilty of violating Article 374-1, Part 1 of the Administrative Code. He too was fined 116,800 Tenge (4,900 Norwegian Kroner, 600 Euros, or 970 US Dollars). Friesen is married with eleven children, four of whom still live with their parents, Baptists told Forum 18.

Asked on 25 March why Panafidin had been prosecuted for peaceful religious activity, Taraz Prosecutor Abdrakhmanova refused to talk to Forum 18. "I am not going to talk to you over the phone about this. Please send us a fax, we'll look at it and try to answer." Asked what she thought about such heavy fines for people who have to work for several months to earn that much money, she seemed unconcerned. "Well I don't remember exactly how much Panafidin has to pay. I would need to check up in the paperwork."

The OSCE has found that court proceedings in Kazakhstan do not offer the guaranteed right to a fair trial. In a February 2007 report on trial monitoring, the OSCE found that Kazakh court proceedings needed to offer "the right of the public to attend court, equality between the parties and the presumption of innocence" (see http://www.osce.org/astana/24153).

Kazakhstan is also continuing its long-running campaign against Hare Krishna devotees (see eg F18News 2 November 2007 http://www.forum18.org/Archive.php?article_id=1042). Representatives of Karasai Hare Krishna Commune were summoned on 25 March to the Almaty regional Akimat (executive authorities) in Taldy-Kurgan city on the initiative of the Akim (the chief executive), Hare Krishna members told Forum 18 on 27 March. The Hare Krishna commune has been told to vacate its 47 hectares of land, not far from Almaty city, and move to 2 hectares of land allocated to them in Talgar district, 70 kms from Almaty city. The community has been given one week to comply.

If the Commune refuses to move then the State Architecture-Construction Authority promises to bring an action against the Commune in the court to demolish their temple. Half of the commune has been demolished by the authorities (see F18News 2 November 2007 http://www.forum18.org/Archive.php?article_id=1042). The community has, along with other religious communities, also been the target of intrusive official check-ups (see F18News 15 February 2008 http://www.forum18.org/Archive.php?article_id=1089).

Hare Krishna community members complained to Forum 18 that the eviction will not only wipe out their many years of labour and efforts but also deprive numerous Hare Krishna devotees in Central Asia to worship together with devotees from other countries. They added that Hare Krishna representatives were due to hold talks with the newly appointed Head of the Religious Affairs Committee, Ardak Doszhanov, on 28 March "hoping for a reasonable resolution of the conflict". (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.

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For more background, see Forum 18's Kazakhstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=701.

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 survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806 and a survey of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

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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