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## KAZAKHSTAN: "The state doesn't interfere in religious communities' internal affairs"?

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*About twenty of Kazakhstan's most senior state officials agreed at a closed 27 October meeting on new state controls over the country's Muslim community, according to documents from the meeting seen by Forum 18 News Service. Plans discussed included banning all independent and ethnically-based mosques, taking over all formal Islamic education, and using the existing Muslim Board to control and report on all permitted Islamic activity. Forum 18 notes that at no point do the documents indicate that officials recognise that the Muslim Board is an independent organisation or that it could be in a position to object to the orders officials plan to give it. Asked about the meeting's apparent decision to transfer the Muslim Board's Institute for Raising Qualifications of Imams to a new Islamic University, Muslim Board spokesperson Ongar Omirbek told Forum 18: "It's ours. We won't give it to anyone." Yet Yerbol Shauenov of the Presidential Administration, who was present at the meeting, insisted to Forum 18: "The state doesn't interfere in religious communities' internal affairs."*

At a 27 October meeting of about twenty of Kazakhstan's most senior state officials, including the Foreign Minister and Chair of the state Agency of Religious Affairs (ARA), plans were discussed which would have the effect of bringing all Islamic religious activity under state control. The plans discussed at the closed meeting included banning all independent and ethnically-based mosques, taking over all formal Islamic education, and using the existing Muslim Board to control and report on all permitted Islamic activity. Documents from the meeting, seen by Forum 18 News Service, also discuss changing the Muslim Board's name to Muftiate of Muslims of Kazakhstan, so "making the Muftiate a symbol as the spiritual centre of an independent state", according to ARA Chair Kairat Lama Sharif.

The documents reveal the close attention at the height of government to controlling the Muslim community. Responsibility for ensuring the fulfilment of the meeting's decisions was handed to one of the Deputy Heads of the Presidential Administration, Baglan Mailybaev.

Forum 18 notes that at no point do the documents indicate that state officials recognise that the Muslim Board is an independent organisation or that it could be in a position to object to the orders state officials plan to give it.

"These are our own internal affairs"

"We know nothing about these decisions," Muslim Board spokesperson Ongar Omirbek told Forum 18 from Almaty on 29 November. "But these are our own internal affairs. The state can check what we're doing, but we're not subject to the Agency of Religious Affairs - or to anyone else."

Asked in particular about the apparent decision at the meeting to transfer the Muslim Board's Institute for Raising Qualifications of Imams to a new Islamic University, Omirbek immediately responded: "It's ours. We won't give it to anyone."

Closed meeting

The closed, top-level meeting was held in the capital Astana on the afternoon of 27 October, very shortly after the two controversial Laws restricting freedom of religion or belief came into force. The two laws, a Religion Law and a law amending nine other laws, imposed serious restrictions on the ability of people to exercise freedom of religion or belief (see F18News 23 September 2011 [http://www.forum18.org/Archive.php?article\\_id=1617](http://www.forum18.org/Archive.php?article_id=1617)).

The meeting – chaired by Kazakhstan's State Secretary Kanat Saudabaev, who as Foreign Minister was Chairperson-in-Office of the Organisation for Security and Co-operation in Europe (OSCE) in 2010 – was also attended by ARA head Lama Sharif, as well as senior ministers and the heads of the National Security Committee (KNB) secret police and the Foreign Intelligence Service. It agreed a whole series of measures to enforce the controversial new Laws (see F18News 7 December 2011 [http://www.forum18.org/Archive.php?article\\_id=1644](http://www.forum18.org/Archive.php?article_id=1644)).

The meeting also reviewed the new draft Censorship Regulations prepared by the ARA, which for the first time codify compulsory state censorship, breaking international human rights commitments not to impose such restrictions on freedom of religion or belief or interlocking freedoms such as freedom of expression (see F18News 24 November 2011 [http://www.forum18.org/Archive.php?article\\_id=1639](http://www.forum18.org/Archive.php?article_id=1639)).

Officials of the Presidential Administration in Astana confirmed to Forum 18 that the 27 October meeting took place, but several said they had not been present and so were unable to discuss its decisions. Mailybaev of the Presidential Administration was in a meeting when Forum 18 called on 29 November, his office said.

Yerbol Shauenov, Deputy Head of the Internal Policy Department of the Presidential Administration, who was present at the meeting, refused to discuss its decisions by telephone. However, he insisted that the state acts in accordance with the law. "The state doesn't interfere in religious communities' internal affairs," he claimed to Forum 18 from Astana on 29 November. He refused to discuss how this matched the decisions taken at the meeting.

Article 19, Part 2 of the current National Security Law, dating from 1998, bans interference by religious communities in the affairs of the state - and interference by the state in religious communities. A proposed draft Law has the same provision. But this has not stopped state officials from interfering in religious communities. An example of this has been ARA, Muslim Board, and regional government officials demanding that independent mosques join the Muslim Board (see F18News 16 September 2011 [http://www.forum18.org/Archive.php?article\\_id=1613](http://www.forum18.org/Archive.php?article_id=1613)).

The draft National Security Law may be approved by the Senate in late December 2011 or early January 2012. Civil society activists have called for it to be sent for review by the Council of Europe's Venice Commission (see F18News 24 November 2011 [http://www.forum18.org/Archive.php?article\\_id=1638](http://www.forum18.org/Archive.php?article_id=1638)).

All the ARA officials Forum 18 spoke to between 24 and 29 November refused to discuss the 27 October meeting's decisions, referring Forum 18 to spokesperson Svetlana Penkova. However, her colleagues said she was not present each time Forum 18 called.

Muslim Board to report to state?

The minutes of the meeting – which were signed by State Secretary Saudabaev - record various decisions on the Muslim Board and the Muslim community more broadly.

In the minutes, the ARA was required by 15 November to ensure that the Muslim Board adopted a "plan of measures perfecting the work" of the Board, "including the elaboration of a plan for periodic reporting on the course of its fulfilment".

In his closing address to the meeting, State Secretary Saudabaev ordered the ARA to secure by 15 November the approval by the Muftiate of a Plan of Measures to "perfect the work" of the Muslim Board and to "prepare a mechanism of periodic reporting on the course of the work carried out". Saudabaev did not make clear whether the Muslim Board is required to present its reports to the ARA, but this appears to be the case.

State to take over Muslim education

The minutes of the meeting record various decisions to bring Muslim education under state control.

The Education and Science Ministry is to present to the Presidential Administration by 1 January 2012 draft plans and syllabuses for "courses to increase the qualifications of imams", drawn up with the involvement of the Muslim Board.

The Education Ministry is also to "examine the desirability of handing the Muslim Board's Institute for Raising Qualifications of Imams into the administration of the Islamic university being created". The Education Ministry is to report on all this activity to the Presidential Administration by 15 January 2012.

The decision from the minutes was echoed by State Secretary Saudabaev in his closing address to the meeting. By the end of this year, the Education Ministry, together with the ARA and the Muslim Board, was to draw up a plan and syllabus for courses to increase the qualifications of imams, "directed at the formation among the Muslim clergy of an adequate level of knowledge on religious studies and secular subjects. With this aim, prepare a list of higher educational establishments having the appropriate personnel and methodological base (departments of religious studies)."

Saudabaev also ordered the Education Ministry to undertake a series of measures to "increase the quality of scholarly/research work in the religious sphere and the preparation of national cadres for the structures of the Muslim Board", and to report on these measures to the Presidential Administration by 15 January 2012.

The Education and Science Ministry, together with the ARA and the Foreign Ministry, is to "resolve the question of creating a national Islamic higher educational institution", based on the existing Egyptian-founded Nur Mubarak University in Almaty. The

Ministry is to study how other former Soviet republics train imams and prepare "a mechanism of accepting graduates of medreses into this university for the specialist subject of Islamic Studies at state expense".

Saudabaev also reinforced this decision in his closing address, adding: "The question must also be examined of the transfer of the Muslim Board's Institute for Raising Qualifications of Imams to the administration of the university."

During the meeting, Foreign Minister Yerzhan Kazykhanov was asked how discussions are going with the Egyptian authorities over turning the Nur Mubarak University into an Islamic studies university. The documents seen by Forum 18 do not reveal Kazykhanov's answer.

Education Minister Bakytzhan Zhumagulov was asked during the meeting about whether the question of preparing students of Islamic Studies with state funding had been resolved. The documents seen by Forum 18 do not reveal his answer.

#### State control on foreign Islamic education

In his address to the meeting, ARA Chief Lama Sharif was concerned to ensure state control over study by Kazakh citizens abroad, with all his comments apparently directed at Muslims. He said work by local Akimats [administrations] to bring back students studying abroad (presumably in Islamic colleges) was "inadequate" and that "additional measures" were needed. He called on the Education Ministry to hand out grants for such returning students to study in Kazakh higher educational institutions.

He described it as "necessary" to take measures on an "inter-state level" too. He called on the Education and Foreign Ministries, and his Agency, to conclude agreements with similar agencies in Saudi Arabia, Pakistan and Egypt over the education of Kazakh citizens in those countries. He said such agreements must include a maximum quota of students of their theological institutions "agreed with the Kazakh side". "It is also necessary to envisage the establishment of a special procedure for the acceptance for study of Kazakh citizens by foreign theological education establishments only with the agreement of our diplomatic representations."

Lama Sharif added that these countries must draw up procedures for deporting Kazakh citizens studying there "illegally and without education visas". He also proposed working closely with "embassies of Muslim countries in Kazakhstan" over how they issue visas for Kazakh citizens wishing to study religion abroad.

During the meeting, Foreign Minister Yerzhan Kazykhanov was asked how well the process of bringing back to Kazakhstan students studying in foreign Islamic educational establishments was going. The documents seen by Forum 18 do not reveal Kazykhanov's answer.

#### Restrictions on who can found mosques?

In his address to the closed meeting, ARA Chief Lama Sharif described it as "important" to pay attention to the "quality" of the group of fifty founders "expressing a desire to re-register a religious association and give it the local status as village [aul] mosque. It would be more preferable if this fifty people included people enjoying authority and respect among the local population and with the active participation of village and district Akims [administration heads]. These could be public figures and veterans of labour who have made a significant contribution to the development of the village."

Forum 18 notes that while the authorities appear to be planning to take a close look at the founders of any would-be religious organisation, the document only specifically discusses mosques. Under the new Religion Law, all unregistered religious activity is banned and subject to punishment.

#### Restrictions on mosque names?

Lama Sharif also described the names given to mosques as "no less important". He said Akims, members of Naming Commissions and deputies of Maslikhats [local elected assemblies] "must devote attention" to this.

The ARA chief has long spoken out against founders of mosques naming them after relatives. "For example, many businessmen build mosques with their money and in return name these buildings after their fathers and ancestors," he told the Majilis, the lower house of parliament, on 21 September when presenting the draft new Religion Law. "We consider this to be wrong. We must move away from this."

#### Ban on "ethnic" mosques?

In his address, Lama Sharif also stressed that places of worship – "in our case the mosque" – must be open to everyone "as in Islam there is no division by ethnicity". He noted that "unfortunately", recently mosques "built for example by representatives of the Uyghur diaspora are not attended by representatives of other ethnic groups apart from Uyghurs. In our view, there should be neither Chechen nor Tatar mosques. The mosque is the house of Allah and all those who consider themselves Muslims should go to this prayer house."

Members of some "ethnic" mosques expressed concern to Forum 18 over possible future developments, but noted that it remains unclear whether action will be taken against them.

However, a member of one ethnic mosque in Almaty told Forum 18 that on 26 November an unknown man "quietly entered the mosque, went around all the rooms, looked at the religious books, materials and pictures and, taking one pamphlet, left without speaking to us". The Muslim believes the man to have been from the KNB secret police.

The authorities have long sought to prevent mosques which serve Muslims mainly of one ethnicity (see F18News 4 November 2010 [http://www.forum18.org/Archive.php?article\\_id=1506](http://www.forum18.org/Archive.php?article_id=1506)).

Only Muslim Board can own mosques?

Lama Sharif also noted what he claimed were "issues" over mosques' "form of ownership". "It is necessary to create all the conditions for all mosques to transfer into the ownership of Kazakhstan's Muslim Board," he told the meeting. "This is necessary above all to remove places of worship from private ownership and at the same time to reduce the influence of personal preferences of the owners [of such mosques] on the religious situation in the regions."

Officials also seem keen to protect a Muslim Board monopoly on all Muslim activity. In his closing address to the meeting, Saudabaev also ordered the ARA and the Culture Ministry by the end of 2011 to organise "the creation and support of pro-state Muslim NGOs [non-governmental organisations]. Their main task must be the promotion of traditional spiritual/moral and religious values and countering the ideology of radical religious movements and others, as well as the public defence of the Muslim Board from attacks from opposing organisations."

In at least one Region, pressure has begun once again on mosques which function outside the framework of the Muslim Board. Serik Tlekbayev, Head of Karaganda [Qaraghandy] Regional Administration's Religious Affairs Department, gathered all the region's imams on 24 November, telling them that all the mosques should have re-registered by May 2012. "He specifically spoke to the Imams of independent mosques, and threatened them with refusal to re-register unless they joined the Muslim Board," one imam who attended the meeting – who asked not to be identified for fear of state reprisals - told Forum 18 on 29 November.

Tlekbayev also told the Imams that "not only the mosques shall be under the Muslim Board, but also all their property shall be registered to the name of the Board. "When one independent Imam asked Tlekbayev publicly whether he would give away any of his own property for free, Tlekbayev was silent, the Imam told Forum 18. However, Tlekbayev went on to warn that any Imam not re-registering under the Muslim Board "will have a hard time with the authorities".

Tlekbayev's phones went unanswered on 29 November. Karlygash Ahmetova, the Leading specialist of the Department, refused to explain to Forum 18 why her Department was pressuring the mosques to re-register under the Muslim Board. "You need to talk to Tlekbayev about this, and he is not available at the moment," she told Forum 18 the same day.

The government has been highly wary of independent mosques and organisations which appear to be rivals of the Muslim Board. Independent imams and mosques have been repeatedly pressured to join the Muslim Board, with the threat that if they fail to do so they will be closed down (see F18News 14 October 2010 [http://www.forum18.org/Archive.php?article\\_id=1498](http://www.forum18.org/Archive.php?article_id=1498)).

Muslim Board to be "rebranded"?

In his closing address to the meeting, State Secretary Saudabaev ordered the ARA "with the agreement of the Presidential Administration" to "realise measures for the systematic reorganisation" of the Muslim Board. "In the period of the procedure of re-registration of the Muslim Board, carry out its rebranding by means of renaming into the Muftiate of Muslims of Kazakhstan. The given action will have an effect on its image, making the Muftiate a symbol as the spiritual centre of an independent state."

By the end of 2011, Saudabaev ordered the ARA to draw up and sign a cooperation agreement with the Muslim Board "envisaging the principles of cooperation and key directions of holding joint measures in the social and spiritual/cultural spheres".

Control over Muslim activity

Officials at the meeting repeatedly singled out the Muslim community when discussing what they regard as the "need" to keep religious activity under state control. State Secretary Saudabaev said in his closing address that the KNB secret police, the Interior Ministry and local Akimats must prevent the activity of local people who act as "missionaries" for Salafi Islam and the Tabligh Jamaat Islamic missionary movement. "Do not allow them to conduct such illegal propaganda in mosques and other prayer houses, or to conduct religious lessons in underground houses etc."

Among the questions posed to Nurtai Abykaev, head of the KNB secret police, he was asked what "underground prayer houses, courses (so-called darysy) for the propaganda of non-traditional Islamic movements" exist. The documents of the meeting seen by

Forum 18 do not reveal the answer Abykaev gave to this question.

Similarly, Interior Minister Kalmukhanbet Kasymov was asked what measures his Ministry had taken against Salafi Muslim and Tabligh Jamaat missionaries active in Kazakhstan. He was also asked how many foreigners involved in such activity had been deported. The documents of the meeting seen by Forum 18 do not reveal the answer Kasymov gave to this question.

Muslims singled out over state controls on income

In stepping up proposed controls on money received by religious communities of all faiths, Lama Sharif also singled out the Muslim community. He said contributions to the Muslim Board particularly needed to be recorded electronically and that everyone should have access to such information (see F18News 7 December 2011 [http://www.forum18.org/Archive.php?article\\_id=1644](http://www.forum18.org/Archive.php?article_id=1644)).

Muslim Board participation in state propaganda?

Amid proposals for propaganda both at home and abroad to portray the controversial new Religion Law as "progressive", representatives of the Muslim Board were the only members of religious communities specifically identified as participants in this activity (see F18News 19 December 2011 [http://www.forum18.org/Archive.php?article\\_id=1649](http://www.forum18.org/Archive.php?article_id=1649)).

Earlier state meddling?

Critics of the Muslim Board have long complained of its attempt to monopolise Muslim life in Kazakhstan and its alleged subservience to the state.

The Board has been headed since June 2000 by Chief Mufti Absattar Derbisali, an academic and former diplomat who appears to have had no formal religious education. Derbisali was re-elected to his post at congresses in June 2005 and again, "unanimously", in December 2010.

A month after the 2005 election, a former head of the Presidential Administration Alikhan Baimenov (and a current state official) reportedly lamented to the United States ambassador John Ordway what he claimed was "official manipulation" over the congress. "Baimenov said that 'the authorities set them up', adding that Kazakhstan did not need 'weak muftis'," according to a US diplomatic cable leaked to Wikileaks. (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](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](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](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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