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KAZAKHSTAN: "New forms of countering religious activity by non-traditional religious movements"

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

Nurlan Bizhanov, a Deputy Prosecutor of East Kazakhstan Region, warned local officials in mid-September about the "activity of non-traditional religious movements which is not declining". Bizhanov identified Grace Church, New Life Church, the Baptists and Jehovah's Witnesses. He insisted that "new forms and methods of countering religious activity by non-traditional religious movements need to be prepared and implemented, based on the coordination of efforts by all local executive, justice, special and plenipotentiary state organs, together with civil society institutions". The instruction came in a secret mid-September letter – seen by Forum 18 News Service – though officials categorically denied to Forum 18 that the letter exists. Meanwhile, police in Pavlodar Region appear to be trying to close down a Protestant-run rehabilitation centre which they raided in July. Kazakhstan's human rights record will be scrutinised at the United Nations in Geneva on 30 October.

In a secret mid-September letter, a Deputy Prosecutor of East Kazakhstan Region instructed regional administration and health care officials to "counter" the activities of "non-traditional" religious communities using "new forms and methods". He identifies Baptist and Pentecostal Churches and the Jehovah's Witnesses among such communities. Officials are ordered to inform the Prosecutor's Office when any religious community – whether "non-traditional" or not - seeks to establish a health-related centre. Officials have categorically denied to Forum 18 News Service that this two-page Russian-language letter – of which Forum 18 has a copy - exists.

The letter comes as police in the north-eastern Pavlodar Region appear to be trying to close down a Protestant-run rehabilitation centre for alcohol and drug-dependent individuals. Police raided the centre in July, sent a brochure for an "expert" analysis, questioned the centre's use of its building and are seeking to punish the centre's overseer for holding prayers there without the compulsory state permission (see below).

The Prosecutor's Office letter and the moves against another rehabilitation centre echo the wide-ranging state-backed campaign against smaller religious communities about the time the harsh new Religion Law was adopted in 2011. Prominent in these measures were state-funded so-called anti-sect centres, and attacks by officials on so-called "non-traditional" beliefs, which members of many religious communities state encouraged public hostility through statements in the state-controlled national and local media (see Forum 18's Kazakhstan religious freedom survey http://www.forum18.org/archive.php?article_id=1939).

Harsh Religion Law "one of the important achievements"?

Kazakhstan's government is preparing to defend its human rights record at its Universal Periodic Review at the United Nations Human Rights Council in Geneva on the morning of 30 October (<http://www.ohchr.org/EN/HRBodies/UPR/Pages/KZSession20.aspx>). In its 16 September submission to the UPR (A/HRC/WG.6/20/KAZ/1), Kazakhstan described the adoption of the harsh 2011 Religion Law as "one of the important achievements in the area of religion".

In defiance of the country's international human rights commitments, the Religion Law bans meeting for worship, printing, publishing or distributing literature about religion or talking to others about religious themes without prior state permission. Punishments for those who defy such state controls are frequent (see Forum 18's Kazakhstan religious freedom survey http://www.forum18.org/archive.php?article_id=1939).

Secret instruction

Nurlan Bizhanov, a Deputy Prosecutor of East Kazakhstan Region, wrote in mid-September to the head of administration of the Regional Akimat (administration), Yerzhan Zhilkibayev, and the head of the regional Health Department, Vadim Ovsyannikov, to warn about the "activity of non-traditional religious movements which is not declining". Among such communities Bizhanov identified were Grace Church, New Life Church, the Baptists and Jehovah's Witnesses. He claimed that these groups "often come into conflict with traditional religions". He claimed that worldwide, the activity of such communities is increasing and growing ever more "destructive".

No definition of "traditional" or "non-traditional" religions appears to exist in Kazakhstan's published laws, nor any requirement that religious communities be treated differently depending on how "traditional" they are claimed to be. Indeed, Article 3 of the Religion Law notes that religious associations are equal before the law.

Bizhanov particularly complains that in Kazakhstan "for various reasons (social, economic, political or ethnic), young people, the socially undefended and those not established in life with low religious literacy fall into the orbit" of such "non-traditional" communities.

He insists that because of this, "new forms and methods of countering religious activity by non-traditional religious movements need to be prepared and implemented". This should be "based on the coordination of efforts by all local executive, justice, special and plenipotentiary state organs, together with civil society institutions".

Helping addicts = "worldwide threat"?

Bizhanov gives a local example of the "worldwide threat" from such "non-traditional and destructive" religious activity: the alleged acquisition of a house in the village of Cheremshanka in Glubokoe District by the "non-traditional" religious association, Spring Baptist Church, based in the city of Oskemen (Ust-Kamenogorsk). The Deputy Prosecutor claims the church bought the house in August with the aim of turning it into a rehabilitation centre for those suffering from alcohol or drug addiction. He insisted that, "according to operational information", local people oppose the plan.

Opening such a centre "would facilitate hidden agitation of citizens with the aim of attracting them into a non-traditional religious channel", Bizhanov claimed. He noted with alarm that "potential parishioners" who could be attracted to join the Baptists would not only be the addicts being helped, but students at a nearby college residence, as well as visitors to a medical centre and a sports field.

Spring Baptist Church insisted to Forum 18 from Oskemen on 14 October that it has not bought a house in Cheremshanka and has no plans for a rehabilitation centre there.

Bizhanov notes that activity such as opening a rehabilitation centre needs a state licence, so when any such applications arrive from "non-traditional" and "other religious associations" it is "necessary immediately to inform the Regional Prosecutor's Office to gain [its] approval". He added that the Akimat is to inform all its sub-divisions and agencies of the necessity of carrying out these instructions, including when such religious groups seek to buy property.

Why was instruction secret?

The Deputy Prosecutor's letter contains at the top the Russian abbreviation for "For official use". This is despite the fact that the Rules on Recording, Use and Storage of Documents, Files and Editions of Restricted Distribution, approved by a 29 August 2000 Decree signed by the head of the Agency for Protecting State Secrets, does not allow such a restricted distribution. Article 2 of the Rules includes the provision: "Applying restricted distribution to information touching on the rights, freedom and obligations of citizens is banned."

After checking, Bekzat Sakigozhina, head of administration at North Kazakhstan Region Health Department, confirmed that Bizhanov's letter had not been registered on arrival along with other incoming documents. "But if the letter was for official use only, Vadim Ovsyannikov wouldn't have given it to me," she told Forum 18 on 14 October.

"We wouldn't have written such a letter"

Although the letter notes at the bottom that it was drafted on Bizhanov's behalf by Yershad Turysbayev, he insisted to Forum 18 on 8 October: "We didn't write such a letter." When Forum 18 read out extracts from it, Turysbayev responded: "We wouldn't have written such a letter." He refused to discuss the letter further.

Forum 18 was unable to find out from the General Prosecutor's Office in the capital Astana whether Bizhanov's letter was lawful. Iogan Merkel, a Deputy Prosecutor General, was ill in hospital, his aide told Forum 18 on 13 October. The aide – who did not give his name – refused to discuss the letter. So too did Alzhan Nurbekov, deputy head of the International Department there.

Zhilkiybayev, head of administration of the East Kazakhstan Regional Akimat and one of the addressees, was unavailable each time Forum 18 called. However, an aide – who did not give his name – confirmed to Forum 18 on 13 October the Russian abbreviation for "For official use". But he too refused to discuss the letter, claiming "I don't have it".

Despite repeated calls, Forum 18 was unable to reach the second addressee, Ovsyannikov of the Health Department. One of his deputies – Zhangaly Alipbayev – told Forum 18 on 13 October that had not seen the letter, though added that he deals with economic issues. When Forum 18 read out extracts from the letter, Alipbayev responded: "I think this is against the law. But one would need to see the justification for it."

Rehabilitation Centre raided, investigated

Meanwhile, a police "investigative operational group" raided a Pentecostal-led drug and alcohol rehabilitation centre in the town of Aksu in Pavlodar Region on 6 July. They were responding to an alleged complaint by a local resident that a "sect" was operating there, according to the 9 July police decision not to launch a criminal case, seen by Forum 18. Officers inspected, filmed and photographed the centre. They also seized a copy of a 48-page booklet "His Name is Love".

The police noted that the six male residents – who live there voluntarily - conduct household work at the centre and "study the Bible and pray twice a day". They also noted that the Pavlodar-based Jesus Christ Pentecostal Church bought the house where the centre is located in August 2013.

Police wrote to Pavlodar Region Territorial Land Inspection to check whether the building is being used for its purpose. Forum 18 has been unable to find out if the Land Inspection has yet taken any measures.

On 8 July, police also requested a judicial/psychological/philological "expert" analysis of the seized booklet from the Justice Ministry's Central Institute of Judicial Expert Analysis in Astana.

The expert at the Central Institute, Sholpan Sisimbayeva, refused to answer three of the police questions about the booklet, saying they did not form a proper part of such an analysis. She reformulated the other two questions into one: whether the booklet contained incitement to religious or other enmity or maintained the superiority of one faith over another.

Sisimbayeva's six-page 12 August analysis, seen by Forum 18, was clear. The booklet "His Name is Love" contains "no statements of an arousing nature, calling for an incitement to religious and ethnic enmity, the superiority of one religion over another or statements of the superiority of citizens because of their attitude to religion".

The Central Institute charged the Aksu police for the "expert analysis" 26,917.2 Tenge (950 Norwegian Kroner, 115 Euros or 150 US Dollars), according to the accompanying letter.

Administrative case

Unable to prosecute the centre or any individual over the seized booklet, on 29 September Police officer Rizabek Bilyalov launched an administrative case against the centre's church overseer, Vladimir Styopin. He sought to punish him under Administrative Code Article 374-1, Part 1 ("Leading, participating in, or financing an unregistered, halted, or banned religious community or social organisation"), according to the record of an "offence" seen by Forum 18. Styopin has signed the record adding that he "does not agree with it".

More than 150 such administrative fines are known to have been handed down across Kazakhstan in 2013, and nearly 50 in the first ten weeks of 2014 alone (see F18News 13 March 2014 http://www.forum18.org/archive.php?article_id=1937).

The case was sent to Aksu Specialised Administrative Court. However, on 7 October, Judge Gulnar Mukhametkaliyeva sent back the case to the police as it had not been properly documented, according to the decision seen by Forum 18.

Bilyalov refused absolutely to discuss the case with Forum 18 on 13 October and put the phone down.

More pressure to come?

"At the moment there is a case only against me as an individual," the centre's overseer, Styopin, told Forum 18 on 14 October. But he fears that if he is punished, the authorities will use the conviction to close down not only the rehabilitation centre but possibly the Church too. "I demand that officials defend my rights and halt this case."

Styopin added that he had that day lodged a civil suit against the police in court, asking that their actions be declared illegal. He insists that as the Church has state registration and the Church set up the rehabilitation centre, any activity there is covered by the Church's registration. (END)

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>.

For more background, see Forum 18's Kazakhstan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1939.

For a personal commentary from 2005 on how attacking religious freedom damages national security in Kazakhstan, see F18News http://www.forum18.org/Archive.php?article_id=564.

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.

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