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KAZAKHSTAN: Will Judge punish praying pensioners?

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

On 25 August, a Judge in East Kazakhstan Region will decide whether to fine seven members of a Baptist congregation for meeting for worship without state permission. Two of the seven are aged 78, a decade younger than another Baptist fined in 2016.

In hearings throughout the morning of 25 August, Judge Aigul Saduakasova in East Kazakhstan Region is set to decide whether or not to punish seven local Baptists for meeting for worship without state permission. Their small congregation was raided twice in early August. Two of those facing possible fines – Olga Berimets and Zoya Tabolina - are close to their 79th birthdays.

If punished, the 78-year-old pensioners would not be the oldest known victims of such punishments for exercising the right to freedom of religion or belief. On 22 May, at the age of 89 and a half, former Soviet-era Baptist prisoner of conscience Yegor Prokopenko was again fined for leading a meeting for worship in Zyryanovsk in East Kazakhstan Region. A police officer fined him 100 Monthly Financial Indicators (MFIs), 212,100 Tenge. This represents about seven weeks' average wages for those in work, but far more for pensioners like Prokopenko (see F18News 14 June 2016 http://www.forum18.org/archive.php?article_id=2188).

Yakov Skorniyakov – another Baptist and former Soviet-era freedom of religion or belief prisoner of conscience – was 79 when he was given a massive fine for his religious activity in 2006, two years before his death (see F18News 13 April 2006 http://www.forum18.org/Archive.php?article_id=759).

Meanwhile, two Baptist Churches which belong to the Baptist Union in West Kazakhstan Region were raided by officials in early July as they held summer camps for local children. Officials and local journalists they brought along claim the churches were attracting young people, that children might have been present at a religious event without their parents' consent and that foreigners were present as "missionaries" without having the required state permission. The raids left the children feeling "frightened", the pastor complained (see F18News 23 August 2016 http://www.forum18.org/archive.php?article_id=2210).

"Civil disobedience"

More than 25 individuals are known to have been fined in the first half of 2016 for exercising the right to freedom of religion and belief without state permission. The known victims were Muslims, Protestants, Jehovah's Witnesses and commercial traders (see F18News 15 July 2016 http://www.forum18.org/archive.php?article_id=2199).

Council of Churches Baptists have adopted a policy of "civil disobedience", refusing to pay fines for exercising their human rights without state permission. Prokopenko has refused to pay his latest fine, and – if punished – the seven Baptists in East Kazakhstan Region similarly seem likely to refuse to pay.

Many Baptists who refuse to pay such fines are then placed on Kazakhstan's exit ban list, preventing them from leaving the country. Some have property confiscated, such as washing machines or cars. Others have restraining orders placed on property, such as homes, cars or calves, preventing them from selling or disposing of them (see F18News 13 May 2016 http://www.forum18.org/archive.php?article_id=2177).

Raids on meetings for worship

On 7 August, Police raided a small Baptist congregation as it met for Sunday worship in a home in the village of Kalbatau in Zharma District of East Kazakhstan Region, local Baptists complained to Forum 18 on 16 August. When the service was over and church members were leaving, officers began to question them about what had happened.

The home owner, Yakov Frizen, put the elderly church members in his car to take them to their homes. However, police officers ordered him to take them to the local police station. He refused, and took them to their homes. Officers followed in their car and, having summoned another vehicle, took all those who had been present to the police station. They ordered Frizen to follow their car also.

Police Investigator Erzhan Donenbayev ordered 83-year-old Andrei Berimets, 78-year-old Olga Berimets, and 78-year-old Zoya Tabolina, as well as home owner Frizen and another church member Natalya Kvach to write statements. Then, after returning their identity documents, allowed them to leave the police station.

Police officers then visited three other people in their homes, Yevgeny Seleznev, Nina Gurzhueva and Snezhana Bondarenko. Gurzhueva and Bondarenko are not church members but attend worship services. All three were forced to write statements, church members told Forum 18.

Several days later, eight of those present were summoned to the District Akimat (administration). At least seven of the eight were handed records of an offence under Administrative Code Article 490, Part 1.

Article 490, Part 1 punishes "Violation of the demands established in law for the conducting of religious rites, ceremonies and/or meetings; carrying out of charitable activity; the import, production, publication and/or distribution of religious literature and other materials of religious content (designation) and objects of religious significance; and building of places of worship and changing the designation of buildings into places of worship" with fines for individuals of 50 MFIs.

The church held a further meeting for worship at Frizen's home on 11 August, with guests from Germany and Russia. During the worship meeting, several police cars full of officers waited outside. After the meeting was over, officers asked permission to come into the yard, then demanded the identity documents of the foreigners present. Officers videoed the foreigners' passports.

As the foreign guests were leaving the village, police detained them. They ordered two of them to write statements. Police officers visited an elderly church member and again asked what had happened at the worship meeting.

"How can the police have raided a private home?"

The duty police officer at Kalbatau police station – who did not give his name - told Forum 18 on 17 August that Investigator Donenbayev is on holiday, as was Police Chief Rolan Orazgaliyev. Asked why his fellow officers had raided the Baptist congregation twice, the officer responded: "How can the police have raided a private home?" He refused to answer any further questions and put the phone down.

Meirambek Kameshev, who is in charge of supervising local religious communities at the District Akimat's Internal Policy Department, said that he had prepared the records of an offence against seven church members. "If the Police get any more statements, they will hand them over," he told Forum 18 on 17 August. "But I don't think cases will be brought against any of the others."

Asked why anyone should be punished for holding or attending a meeting for worship, Kameshev insisted that the law bans such meetings and those violating this should be punished. "We all have to submit to our laws," he insisted to Forum 18.

Asked if the church members would have faced cases had they met to drink vodka, watch football on television or read Pushkin's poetry, Kameshev responded: "Of course not. But there is a great difference between that and religious activity." He declined to explain what the "great difference" is. "If they simply registered and then met for worship, the police would have no complaint."

Told that the church – like other Council of Churches Baptist congregations – chooses not to seek legal status and that meeting without state permission is protected under Kazakhstan's international human rights commitments, Kameshev disagreed. "I didn't say that they're causing any harm, but let them register and then pray."

25 August court hearings

The seven administrative cases – against Bondarenko, Olga Berimets, Gurzhueva, Kvach, Seleznev, Tabolina and Frizen – were handed to Zharma District Court. On 17 August, Judge Aigul Saduakasova, who is due to hear the cases, set the hearings to take place at half-hourly intervals from 9.30 am on 25 August, according to court records seen by Forum 18.

The court chancellery confirmed to Forum 18 on 17 August that seven church members are facing cases brought by the District Internal Policy Department. (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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