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KAZAKHSTAN: When is a raid not a raid?

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

Kazakh police claim that a raid on a church's worship service last Sunday (25 May) was not a raid. "It was not a raid, but we have to check up to see that they were abiding by the law," the Head of Aktobe police's Department for the Struggle with Extremism, Separatism and Terrorism told Forum 18 News Service. New Life Church's pastor, Zholaman Nurmanov, stated that 60 people were worshipping when the police arrived. They tried to halt the service and filmed it without permission. After the service police questioned the congregation, focusing on the presence of the pastor of another congregation. Police told Forum 18 that the congregation "was violating the law by inviting a missionary to speak without permission from the Internal Policy Department of the local administration and holding meetings at a different place from where they are legally registered." Police denied that they had violated the rights of people to meet freely for worship. "It is the law of Kazakhstan. We'll check up on them next Sunday and if necessary will bring them to court." The raid is the latest in a pattern of raids, tightened state control and prosecutions of religious communities throughout Kazakhstan.

The head of the Police's Department for the Struggle with Extremism, Separatism and Terrorism in the north-western city of Aktobe [Aqtobe] has strongly defended the raid on the New Life Protestant Church's Sunday worship service on 25 May. "It was not a raid, but we have to check up to see that they were abiding by the law," Nurtai Nugayev told Forum 18 News Service from Aktobe on 28 May. "That religious organisation was violating the law by inviting a missionary to speak without permission from the Internal Policy Department of the local administration and holding meetings at a different place from where they are legally registered."

Nugayev rejected suggestions that the raid violated the rights of the church members to meet freely for worship with people of their choosing. "It is not absurd," he told Forum 18. "It is the law of Kazakhstan. We'll check up on them next Sunday and if necessary will bring them to court." He told Forum 18 that they have already handed materials about the Church to the Prosecutor's Office.

Nugayev had put the phone down before Forum 18 was able to ask if the New Life church was regarded by his Department as extremist, separatist or terrorist.

The raid on the Aktobe church is the latest in a pattern of tightened state control over religious communities, with police officers working closely with other officials to identify religious behaviour they regard as illegal and to punish it. Muslims, Christians, Jehovah's Witnesses and Hare Krishna devotees are among those who have suffered from an increasingly restrictive government religious policy.

Such actions come as state-controlled media denigration of religious minorities is increasing. The government is also planning even tighter restrictions on freedom of thought, conscience and belief through a new Religion Law, which has caused alarm in many religious communities (see F18News 6 May 2008 http://www.forum18.org/Archive.php?article_id=1125).

Nugayev's police department has already raided a Baptist congregation in Aktobe several times this year, and officials also disrupted a Jehovah's Witness congress with what appears to have been a fabricated bomb scare (see F18News 22 February 2008 http://www.forum18.org/Archive.php?article_id=1091).

The New Life Church is among a number of religious organisations an official of the General Prosecutor's Office described in April as "dangerous" and "destructive" (see F18News 30 April 2008 http://www.forum18.org/Archive.php?article_id=1123).

Nugayev said he was not present during the 25 May raid on Aktobe's New Life church, but said several of his officers were among the group, which also included officials from the Prosecutor's Office and the local Justice Department.

Nugayev vigorously rejected reports to Forum 18 from church members that the official intruders had refused to identify themselves, behaved "crudely" and treated them as criminals. "They can't have behaved crudely and didn't," he claimed. "The church members are trying to mislead you. There is a video we took as evidence."

New Life's pastor, Zholaman Nurmanov, said that 60 people were gathered when the police and other officials raided. He said they tried to halt the service and filmed it on their mobile phones without the permission of the congregation. "People became afraid," he

told Forum 18 from Aktobe on 27 May. He said the intruders then waited until the end of the service to begin questioning participants, particularly focusing on the presence of Maksim Tashenov, pastor of the New Life congregation in Aktau, a city on the Caspian Sea, who was visiting the congregation.

Nurmanov said the church was doing nothing illegal. "We have an agreement to rent a building in the city centre and we don't need permission," he told Forum 18. "During the raid, the officials were very unpleasant and nasty. They refused to say where they were from. They asked our people: 'Why do you come here? You're Kazakhs, Muslims.' They made four or five people write statements."

Nurmanov reported that the police shouted at Pastor Tashenov. "They wanted to know why we didn't have permission for him to speak from the local Akimat [administration]."

Tashenov said that police had told him during the raid that if he goes to another town he has to inform the local Religious Affairs Department in the Akimat. "They say this is missionary activity and needs permission, even though it is in our church statute," he told Forum 18 on 27 May. "They treated us like criminals." He said he had to sign a declaration that he would return to Aktobe if any case against him is brought to court.

Aleksandr Klyushev, the head of the Association of Religious Organisations of Kazakhstan, rejects officials' claims. "The church does not need any permission to invite pastors from other churches in the country according to the existing Religion Law," he insisted to Forum 18. "But the proposed new Law is intended to have such provisions. So it looks like the law-enforcement agencies are already using the proposed Law or a version of it to justify their actions. This is unlawful." Officials have in the past enforced legislation before it becomes law (see F18News 30 May 2005 http://www.forum18.org/Archive.php?article_id=572).

Aktobe's New Life church is also facing attempts to strip it of a former kindergarten it bought a decade ago in the nearby small town of Alga (see F18News 25 April 2008 http://www.forum18.org/Archive.php?article_id=1120). Church members told Forum 18 that the case is continuing.

Meanwhile, the chief religious affairs official in the Akimat of the southern Zhambyl Region, Madir Rumbaev, has denied that the court-imposed ban on the activity of a local Baptist congregation and the official sealing of the room in a private house where the church meets represents persecution. The congregation in the village of Konaevo near the town of Shu belongs to the Baptist Council of Churches, and refuses on principle to register with the authorities. Church members told Forum 18 on 29 May that between 50 and 100 people regularly attend worship. They add that officials have never broken up services.

Church members report that on 28 March 2007 Shu District Court banned the church until it gained state registration. On 28 April 2008 the court executor warned the church's pastor Abram Pankrats and the owners of the home, Valter Zeman and his wife Margarita, that they were violating the law by refusing to register and continuing religious activity and threatened them with legal responsibility. Baptists reported that on 23 May the court executor returned with a colleague to officially seal the church's meeting room.

"We always have a friendly and understanding attitude to all religious communities," Rumbaev told Forum 18 from Taraz on 28 May. "But our Religion Law bans the activity of unregistered religious communities," he added. "This group meets regularly and conducts religious activity, so it has to register. It received official warnings more than once about this, but they ignore them. They refuse to submit themselves to the law or to listen. They are against the state. Maybe they are planning something. They have no respect for the law."

Rumbaev stressed that courts had made the decision to ban the church and insisted that courts will decide any further action. "If they have any complaints they can take them to higher bodies."

The Baptist congregation has long faced harassment for seeking to worship without state permission, which they insist is unnecessary. They point out that such demands violate Kazakhstan's Constitution and international human rights commitments, which guarantee freedom of religion or belief, freedom of worship and freedom of assembly.

However, Rumbaev vigorously refuted this. "Our law does not contradict international standards," he claimed. Told that Council of Churches Baptists had endured persecution during the Soviet period for upholding their right to worship freely, Rumbaev rejected any comparison with the harassment they face now. "You must understand the internal situation," he declared, but was unable to explain what he meant.

Pastor Pankrats and Zeman, the home owner, were given massive fines in March 2006 (see F18News 13 April 2006 http://www.forum18.org/Archive.php?article_id=759). Church members told Forum 18 that although they refused to pay them – regarding them as unjustified – two years on no action has been taken to confiscate property.

Elsewhere authorities have seized cars, animals and washing machines to cover unpaid fines levied on Baptists (see F18News 22 February 2008 http://www.forum18.org/Archive.php?article_id=1091).

A Council of Churches Baptist congregation in Shchuchinsk in the northern Akmola Region faced harassment for allowing a visiting German speaker and author, Werner Gitt, to address the 200 or so people who had gathered to hear him speak on 9 May. Church members told Forum 18 on 16 May that soon after the talk began, ten officials arrived. Some were from the Prosecutor's Office, the police, the Migration Police, and were accompanied by two translators from German and three unknown people in military uniform.

After Gitt's talk was over they checked his identity documents and those of three people accompanying him. The officials then demanded that they write a statement for Colonel Bolat Baimurzin, the head of the local police, explaining the reason for their visit, their place of residence and activity they were engaged in. Over the next three hours, officials questioned the visitors and tried to accuse them of illegal missionary activity, despite the fact that the church had invited Gitt to speak when they heard he was visiting. "Our prayer house looked like a big room for holding legal inquiries," church members complained. The four visitors were then ordered to appeal at the Prosecutor's Office on 12 May on charges of illegal missionary activity.

The Baptists insist that Gitt's visit was fully in line with Article 3 of the Religion Law, which declares that local people and foreigners have the right freely to practice their faith alone and with others. They rejected accusations that the church's pastor, Pyotr Zimens, had committed any offence. They complained that on 12 and 15 May the pastor was summoned to the Prosecutor's Office and accused of violating Article 375, Part 1 of the Code of Administrative Offences.

Church members told Forum 18 Zimens was fined 20,000 Tenge (840 Norwegian Kroner, 107 Euros or 166 US Dollars) on 15 or 16 May.

Gitt told Forum 18 from the German city of Braunschweig on 27 May that of the five cities where he had spoken on his visit to Kazakhstan only in Shchuchinsk had there been problems. He stressed that he spoke at the church's invitation and pointed out that congregation members were the ones who suffered the most in the wake of the raid.

The duty police officer told Forum 18 on 29 May that Colonel Baimurzin was away on leave, and referred Forum 18 to his deputy, Umirbek Sharipov. However, his telephone went unanswered on 29 and 30 May. An official at the Prosecutor's Office declined to give any information by telephone on 30 May.

Like many Baptist Council of Churches leaders, Pastor Zimens has already been fined - in November 2006 - for his religious activity (see F18News 30 January 2007 http://www.forum18.org/Archive.php?article_id=904). (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=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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