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KAZAKHSTAN: "Inform on a daily basis between 2 pm and 4 pm"

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

State officials in Kazakhstan are continuing to make wide-ranging and intrusive demands for information from religious communities, Forum 18 News Service has learned. The local administration of a district in Almaty has demanded that local communities "inform on a daily basis between 2 pm and 4 pm about measures undertaken by your religious association in the struggle with religious extremism to the telephone number 2351401. In association with this, in case of incidents of incitement of religious enmity and discord or calls for illegal acts by suspicious people, to report immediately on the given telephone number". Unregistered and registered religious communities have told Forum 18 that they are facing raids, threats, and bans on meeting. Meanwhile the Council of Europe has invited Kazakhstan to become a full member of the Commission for Democracy through Law, or Venice Commission. Local civil society activists have called on Kazakhstan to send both recent laws restricting freedom of religion or belief for Venice Commission review, along with a draft National Security Law.

State officials in Kazakhstan are continuing to make wide-ranging and intrusive demands for information from religious communities. In mid-November, the Internal Policy Department of the local Akimat (administration) in the commercial capital Almaty's Turksib District met at least some religious leaders. At meetings and in letters they have demanded that local communities to report "on a daily basis" what steps they are taking to counter "extremism". Also, unregistered and registered religious communities have both told Forum 18 News Service that they are facing raids, threats, and bans on meeting

The demands come following the adoption in October of two new laws seriously restricting freedom of religion or belief. Even before the laws came into force, officials had begun to close mosques, churches and prayer rooms in prisons (see F18News 11 November 2011 http://www.forum18.org/Archive.php?article_id=1635) and Muslim and Russian Orthodox prayer rooms in social care institutions (see F18News 15 November 2011 http://www.forum18.org/Archive.php?article_id=1636). Among other violations, Kazakhstan has also begun banning the entry of foreign visitors speaking at religious events (see F18News 23 November 2011 http://www.forum18.org/Archive.php?article_id=1637).

"Inform on a daily basis between 2 pm and 4 pm"

In a move which several local religious communities described to Forum 18 as "strange", the Internal Policy Department wrote in mid-November to all local communities asking them to observe the new Religion Law "and inform on a daily basis between 2 pm and 4 pm about measures undertaken by your religious association in the struggle with religious extremism to the telephone number 2351401. In association with this, in case of incidents of incitement of religious enmity and discord or calls for illegal acts by suspicious people, to report immediately on the given telephone number." The letter – seen by Forum 18 - was signed merely by "The Akimat of Turksib District".

"Extremism"

"Extremism" and "non-traditional" are terms used by officials in Kazakhstan in relation to people exercising their right to freedom of religion or belief in ways officials dislike. In September the District's Military Affairs Directorate wrote to local religious communities, ordering them to "provide information on citizens on record as followers of non-traditional religions and radical religious views". However, officials were unable to define what these religions and views are when asked by Forum 18 (see F18News 20 September 2011 http://www.forum18.org/Archive.php?article_id=1614).

Such terms have also been used to encourage intolerance in society of people exercising their human rights. The adoption in October of two laws seriously restricting the exercise of freedom of religion or belief was preceded by officials and state-funded NGOs holding public meetings and media campaigns praising so-called "traditional religions" and attacking so-called "non-traditional religions". As an Ahmadi Muslim, who wished to remain unnamed for fear of state reprisals, put it, the campaign was to "prepare the public for a discriminatory new law" (see F18News 21 September 2011 http://www.forum18.org/Archive.php?article_id=1615).

Intrusive information demands

The practice of demanding detailed and intrusive information is a return to past practices, when demands were made that religious

communities and leaders complete highly intrusive questionnaires covering an extremely wide range of personal, political, religious and other matters, including who the close friends of leaders are (see F18News 25 February 2008 http://www.forum18.org/Archive.php?article_id=1093).

In September, Agency of Religious Affairs (ARA) regional departments in Almaty, South Kazakhstan (Shymkent), Aktobe [Aqtobe] and Karaganda Regions re-started the practice of demanding that religious communities complete intrusive questionnaires on all aspects of their weekly activities. In some cases, demands have been made for reports and information on a weekly basis (see F18News 16 September 2011 http://www.forum18.org/Archive.php?article_id=1613).

Some religious communities elsewhere in Kazakhstan have told Forum 18 that they have not received such information demands recently.

"Where did you get this from?"

The official who answered the telephone number given in the letter signed by the Akimat of Turksib District totally refused to discuss the letter. "Where did you get this from?" he repeatedly asked Forum 18 on 21 November. Asked why the Internal Policy Department was expecting religious communities to do something that was not required in the Religion Law, the official – who refused to give his name – eventually said: "We can't give any commentary by phone." He would not discuss though why he wanted information by telephone from religious communities.

The Internal Policy Department also distributed to all local religious communities a form – also seen by Forum 18 - seeking information on the name of each organisation, the name, address and telephone numbers of the leader, a list of buildings (both owned and rented), educational institutions, "stationary places for distributing literature and objects", as well as "places for conducting religious rites away from the place of worship" (including how many people such places can accommodate). The compulsory state censorship introduced by the new Religion Law imposes such requirements (see F18News 23 September 2011 http://www.forum18.org/Archive.php?article_id=1617). Regulations to implement this have been drawn up by the ARA (see F18News 24 November 2011 http://www.forum18.org/Archive.php?article_id=1639).

Mosques and churches in the District confirmed to Forum 18 that they had received these documents. "Our priest also met the akim [administration chief] last Friday [18 November] at the akim's request, also in connection with the new Law," a member of one of the Orthodox parishes told Forum 18 on 22 November.

Raids, threats, bans on meeting

Congregations of the Baptist Council of Churches – which refuse to register with the state authorities on principle – face increasing pressure from officials. "They come to our services and to our prayer houses, summon us and threaten us," one church member who asked not to be named for fear of state reprisals told Forum 18 on 22 November. "Such disturbances are rising."

Meetings for worship without state permission of registered churches have also been raided. In Atyrau, police and National Security Committee (KNB) secret police officers raided a meeting of an officially registered Protestant church, as under the new Religion Law it cannot meet outside its legal address – even though the secret police had stopped the church meeting there. During the raid a 17-year old woman was hit by a policeman, leaving her unconscious. No action seems to have been taken against the policeman responsible, even though church members told Forum 18 that a Public Prosecutor's Office official was a witness (see F18News 19 October 2011 http://www.forum18.org/Archive.php?article_id=1627).

Among recent incidents unregistered Baptists point to was a further 15 November raid by officials on the congregation in Temirtau, near the capital Astana. "They told us they will close the congregation for conducting illegal activity," one church member told Forum 18. Legal records were drawn up against two church members, who were questioned that day and summoned again the following day for further questioning. "It seems a legal case against them will follow."

Another church member complained to Forum 18 that church members' children are coming home from school complaining that other children have told them that, since the new Law has been adopted, their churches will be closed down and their parents will go to prison. "They are hearing this from the television and from some teachers it seems. Some children even say to the other children the Baptists will now be killed."

On 18 November, several members of their congregation in Astrakhanka in Akmola Region were summoned by the Deputy Akim Miram Kozhakhmet, church members complained to Forum 18. Officials from a range of state agencies complained that Baptist parents were refusing to allow their children to attend the compulsory once-weekly Self-Recognition lessons in schools, a subject promoted by President Nursultan Nazarbaev's wife Sara (see F18News 19 December 2011 http://www.forum18.org/Archive.php?article_id=1649).

Sources in Almaty who asked not to be identified told Forum 18 that in a district near the city the local Akimat summoned the leaders of small local religious communities even before the new Law had been finally adopted, let alone come into force. At the

meeting Akimat officials told leaders they were no longer allowed to meet under the new Religion Law.

Council of Europe invites Kazakhstan to join Venice Commission

Meanwhile, the Council of Europe's Committee of Ministers has invited Kazakhstan to become a full member of the Commission for Democracy through Law, or Venice Commission, its website noted on 9 November. Kazakhstan handed over its application to join the Venice Commission on 11 October, the very day that President Nazarbaev signed the two new laws restricting freedom of religion or belief (see F18News 21 October 2011 http://www.forum18.org/Archive.php?article_id=1628).

Both laws have attracted strong criticism from civil society organisations, human rights defenders and many religious communities in Kazakhstan, as well as from the Organisation for Security and Co-operation in Europe (OSCE) which works closely with the Venice Commission on legal reviews (see F18News 13 October 2011 http://www.forum18.org/Archive.php?article_id=1624).

Vyacheslav Abramov of Freedom House in Almaty described the application as "nothing more than a desire to get another image victory, another tick on the list of respected international organisations". Nazgul Yergalieva of the independent Legal Policy Research Centre in Almaty called on the government to submit the two new laws to the Venice Commission for a legal review in accordance with the OSCE / Venice Commission Guidelines for Review of Legislation Pertaining to Religion or Belief (see F18News 21 October 2011 http://www.forum18.org/Archive.php?article_id=1628).

"Kazakhstan now has an excellent opportunity.."

Yergalieva of the Legal Policy Research Centre noted that "membership of the Venice Commission offers senior legal officials, such as members of the Constitutional Council, an opportunity to participate in discussions on the Venice Commission's approach to human rights and the rule of law, and to become familiar with their application within countries. So", she told Forum 18 on 22 November, "when civil society in Kazakhstan raises human rights and the rule of law with such officials, they will already be familiar with the international standards and discussions. This offers civil society an opportunity to request changes, to for example bring existing and draft laws into line with international human rights standards."

She also commented that "Kazakhstan, as a new member of the Venice Commission, now has an excellent opportunity to demonstrate its commitment to the Commission's standards by submitting both the new Religion Law and the associated law amending nine other laws, as well as the draft National Security Law, for review by the Venice Commission.

Proposed National Security Law "should go to Venice Commission"

Abramov of Freedom House also called for laws to be sent for Venice Commission review. "I can only hope that as a member of the Venice Commission, Kazakhstan will send for a legal review not only its laws connected with the activity of religious organisations, but also the proposed National Security Law, which will have a serious impact on civil society, which includes religious organisations," Abramov told Forum 18 on 23 November.

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. The draft Law has the same provision. But this has not stopped state officials from interfering in religious communities. An example of this has been Agency of Religious Affairs (ARA), Muslim Board, and regional government officials demanding that independent mosques join the Muslim Board. One ARA official told Forum 18 that the imams of independent mosques "are not real imams" (see F18News 16 September 2011 http://www.forum18.org/Archive.php?article_id=1613).

The proposed National Security Law was approved by the government on 19 October. It reached the lower house of parliament, the Majilis, on 24 October and was assigned to the Majilis International Affairs, Defence and Security Committee, the Majilis website notes. However, with the early dissolution of the Majilis by President Nazarbaev on 16 November, all laws in parliamentary process have been handed to the upper house, the Senate.

The Senate website notes that the proposed National Security Law arrived in the Senate on 19 November and was assigned to the International Relations, Defence and Security Committee. Abramov of Freedom House thinks that the Senate will approve the Law in late December 2011 or early January 2012. (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=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.

A printer-friendly map of Kazakhstan is available at <http://education.nationalgeographic.com/education/mapping/outline-map/?map=Kazakhstan>.

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