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KAZAKHSTAN: Unregistered Protestants face fines for worship

By Igor Rotar, Forum 18

In Taraz in southern Kazakhstan, Baptist pastor Pyotr Panafidin refuses to register his church on principle – now a punishable offence in the wake of July amendments to the religion law - and on 2 September he was fined more than three months' average wages. Trying in vain to register his Protestant church in the Caspian port of Atyrau is Pastor Rustam Kairulin. The application was rejected for the sixth time in July. "Every time, officials find some fault in our documents," he told Forum 18 News Service. "But I think these are just quibbles – in fact, the authorities don't want Christianity to become widespread in the region." On 6 August officials raided a Protestant church in nearby Gulsary which has been refused registration four times and ordered church members to write statements on why they were attending an unregistered religious community.

Pressure continues on Protestants in Atyrau [Atyraü] region of north-western Kazakhstan as the authorities find pretexts to refuse religious communities registration, Aleksandr Klyushev, head of the Association of Religious Organisations of Kazakhstan (AROK), complained to Forum 18 News Service from the capital Astana on 6 September. At least two local Protestant churches have been arbitrarily denied registration, a serious concern now that unregistered religious activity in Kazakhstan has been made illegal and punishable. Meanwhile, in Taraz in Kazakhstan's southern Zhambyl region close to the border with Kyrgyzstan, a Baptist pastor was fined on 2 September more than three months' average wages for leading a church that refuses state registration.

Rustam Kairulin, pastor of the Protestant Sonbakyn church in the Caspian Sea port of Atyrau, said he had tried to register his community with the Atyrau regional justice administration six times without success. "We were last refused registration in July this year," he told Forum 18 from Atyrau on 6 September. "Every time, officials find some fault in our documents. But I think these are just quibbles – in fact, the authorities don't want Christianity to become widespread in the region."

Local Protestants in Gulsary, a district centre 200 kilometres (125 miles) south of Atyrau, have tried unsuccessfully to register the Resurrection church at the Atyrau regional justice administration four times, a Protestant who preferred not to be named told Forum 18 from Gulsary. On 6 August two officials from the Gulsary district public prosecutor's office came to a church meeting and made all the church members write statements explaining why they were taking part in the activities of an unregistered church, the Protestant reported. They warned church members that if they met again they would be fined. "Basically, they are deliberately driving us into a trap," the Gulsary Protestant complained to Forum 18. "They find pretexts to refuse us registration, and then when we meet together they accuse us of breaking the law."

But an official of the Atyrau regional justice administration brushes off all complaints. "The Protestant churches are being refused registration on legal grounds," chief specialist Turlat Nurzhanov insisted to Forum 18 from Atyrau on 7 September. "They fill in the documents required for registration incorrectly every time. It's a lie to say that the regional authorities are hampering the spread of Christianity."

Life for religious communities that are refused registration or who choose not to register has become tougher since the Kazakh president Nursultan Nazarbayev signed a controversial national security law on 8 July amending the country's religion law and a whole series of other laws. The new law significantly restricts believers' rights (see F18News 15 July 2005 http://www.forum18.org/Archive.php?article_id=608).

Article 4 of the amended religion law includes a section that forbids the activity of unregistered religious organisations (Kazakhstan thereby joined two other Central Asian states, Uzbekistan and Turkmenistan, whose laws on religion forbid the activity of unregistered religious organisations in defiance of international human rights commitments). The new law also made corresponding changes to strengthen the Code of Administrative Offences. A new article, 374-1, was added to the code (Leadership and participation in the activity of public and religious associations that have not been registered in accordance with the law of the Republic of Kazakhstan, as well as financing their activity).

Officials were already putting pressure on members of unregistered religious communities before 8 July, but since the new law came into force, they have acquired the ability to do this legally. However, Klyushev of AROK does not think the persecution of Protestants in Atyrau region is linked with the recent amendments to the religion law. "I have not seen any substantial changes since the amendments to the religion law came into effect either in Astana or in Almaty," he told Forum 18. "So I think these are

provincial officials acting on their own."

Among earlier moves in Atyrau region, in May police questioned members of an unregistered Kazakh-language Protestant church in Atyrau and prosecutors put pressure on the church's pastor, Nurlubek Zhalgasbayev (see F18News 30 May 2005 http://www.forum18.org/Archive.php?article_id=572).

Meanwhile elsewhere in Kazakhstan, Pastor Pyotr Panafidin – who leads a Council of Churches Baptist congregation in the town of Taraz - was found guilty under Article 374-1 part 1, and Article 375 part 1 (refusal to register a religious community at the justice department) of the Code of Administrative Offences. At his hearing on 1 and 2 September, he was given a massive fine of 101,955 tenge (4749 Norwegian kroner, 611 Euros or 759 US dollars), local Baptists told Forum 18 on 6 September. The government estimates the average monthly wage at just over 30,000 tenge.

The court – presided over by judge Sandugash Azimkhanova - rejected Panafidin's defence that Kazakhstan's constitution provides for freedom of worship and does not require religious communities to register before they can function. Congregations of the Council of Churches refuse on principle to register with the state authorities, believing this leads to unacceptable state interference in and restrictions on their activity.

The court hearing followed a Sunday 7 August visit to the church by public prosecutor's office assistant V. Tsoi and Nurbol Kandybaev of the internal policy department of the local administration, who informed Pastor Panafidin that his activity was being investigated. On 12 August he was summoned to the public prosecutor's office, where he was warned that an administrative case had been launched against him. A 29 July letter from the public prosecutor revealed that the investigation had been instigated by the deputy akim (governor) of Taraz, Kulimkhan Toguzbaeva.

Council of Churches Baptists were among religious minorities and human rights groups to oppose the adoption of the national security amendments, arguing that they violated the constitutional right to freedom of conscience and worship.

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=249 and articles on the 2005 "national security" legal amendments at http://www.forum18.org/Archive.php?article_id=608 and http://www.forum18.org/Archive.php?article_id=625

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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