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KAZAKHSTAN: How far does tolerance of religious minorities go?

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On 12 September the Kazakh government will open a conference in Astana of world religious leaders aimed at portraying the country as a haven of religious tolerance. Yet two of the country's religious minorities which have long faced official harassment – a Hare Krishna commune near Almaty which the local authorities want to close down and Baptist churches which refuse on principle to register with the authorities and which have been heavily fined and "banned" – have complained to Forum 18 News Service of continuing problems. Maxim Varfolomeyev of the Hare Krishna community says a newly-established Religious Affairs Committee commission to look at the commune's problems – which held its first meeting on 7 September – might have been set up to give a "false demonstration" of the authorities' religious tolerance on the eve of the conference. Baptists have complained of raids and fines. "Despite the Constitution of Kazakhstan, the authorities continue to push their illegal demands for the compulsory registration of churches."

As the Kazakh government prepares to launch the Second Congress of Leaders of World and Traditional Religions, which will be held in an expensive new "Palace of Peace and Accord" in the capital Astana on 12 and 13 September, two of the country's religious minorities that have long faced official intolerance have told Forum 18 News Service of continued moves against them. Hare Krishna devotees have lost their case in the Supreme Court over the confiscation of two dachas in a commune near the country's commercial capital Almaty which local officials are trying to close down. Devotees have told Forum 18 they remain "hopeful but cautious" over whether a newly-formed Commission – which held its first meeting in Astana on 7 September – will turn out to provide what they regard as a just solution or merely be a "show" to fend off criticism at the time of the conference.

Meanwhile, an unregistered Baptist congregation in Shymkent is the latest to be raided by police during a worship service, while the pastor faces an administrative fine for leading an unregistered religious congregation. "Despite the Constitution of Kazakhstan, the authorities continue to push their illegal demands for the compulsory registration of churches," the Baptists told Forum 18 with concern (see F18News 14 July 2006 http://www.forum18.org/Archive.php?article_id=812).

The Kazakh government makes great play of its claims to be religiously tolerant and the congresses – the first of which was held in 2003 – are a key element of this policy. "Principles of inter-religious dialogue, religious freedom and the role of religious leaders in enhancing international security will all be discussed," the conference website <http://www.religionscongress.org> maintains of the forthcoming meeting.

However, it remains doubtful whether provisions in Kazakhstan's laws punishing free religious practice – such as fines for religious communities that function without official registration – and extra-legal harassment of individual communities – such as of the Hare Krishna commune near Almaty – will be raised at the conference.

On 25 August the Supreme Court upheld a decision by the Almaty regional court to confiscate two dachas owned by Hare Krishna followers in the Karasai district on the outskirts of Almaty, Maxim Varfolomeyev, spokesperson for Kazakhstan's Krishna community, told Forum 18 on 8 September.

Varfolomeyev was unsure whether the Commission – newly set up by the Justice Ministry's Religious Affairs Committee to resolve the disputes surrounding the farm and dachas owned by Krishna followers – will indeed defend the rights of his fellow-believers. He believes it might have been set up to give a "false demonstration" of the authorities' religious tolerance on the eve of the conference. "My theory is based on the fact that we only found out about the Supreme Court's decision after the event," he told Forum 18. "The Supreme Court's decision sets a dangerous precedent. Krishna devotees own more than 60 dachas in Karasai district and there is a real danger that all of them will be confiscated."

Varfolomeyev expressed some hope over the Commission's first meeting, which was opened by Religious Affairs Committee chairman Yerali Tukhjanov and continued under the chairmanship of his deputy, Amanbek Mukhashev. "Overall, they listened to us quite receptively," Varfolomeyev told Forum 18. "They also allowed us to invite human rights activists to the commission. That gives us reason for hope. But it is still too early to relax. Kazakhstan's Krishna commune is nervously waiting to hear its fate."

Present at the Commission's meeting as observers were human rights activists Ninel Fokina and Yevgeni Zhovtis, as well as Liza

Zhumakmetova from the Almaty office of the Organisation for Security and Co-operation in Europe (OSCE).

Mukhashev for his part insisted to Forum 18 that all court decisions have been suspended until the commission has completed its investigation into the situation of the commune. "At this moment it's difficult to predict what conclusions the Commission will reach," he told Forum 18 from the capital Astana on 8 September in the wake of the first meeting. "Court proceedings over the Krishna devotees' land have already been going on for two years. But we're trying to be objective and observe the balance of powers." As evidence he pointed out that the Commission included officials from the Public Prosecutor's Office as well as representatives of international human rights organisations (though these were only invited at the insistence of the Hare Krishna side).

Both sides are now due to present their cases in writing by 11 September, and after considering these Commission members will visit the commune itself.

The 47.7 hectare (118 acre) farm in Karasai district – with the 60 or so dachas owned by devotees - is the only Hare Krishna commune in the former Soviet Union, and local officials have long tried to close it down (see F18News 19 April 2006 http://www.forum18.org/Archive.php?article_id=764).

The situation has escalated sharply since last year, when the district court and then the regional court decided that the Krishna followers owned the farm illegally. The same courts resolved to confiscate some of the Krishna-owned plots of land on the grounds that they had not been privatised. The authorities are insisting that the courts' decisions were not influenced by religious considerations and that it was a purely economic dispute. However, the Krishna followers maintain that the courts' decisions were prompted by the authorities, who do not want Krishna teachings to become widespread in Kazakhstan.

The conflict reached a crisis point on 25 April when in the wake of a regional court ruling last year, court executors – backed by the police – arrived to bulldoze five Hare Krishna-owned dachas. In the end the authorities postponed the demolition because of the presence of many local journalists, but vowed to return when the "fuss" had died down (see F18News 26 April 2006 http://www.forum18.org/Archive.php?article_id=769).

Amongst other evidence of the hostile attitudes of officials, that Hare Krishna devotees point to, are remarks made in the Regional Court in April by Anatoly Portnyagin of the local Land Commission that the Hare Krishna community is a "terrorist organisation" and that allowing it to function will lead to a "second Chechnya in Kazakhstan." At the 8 September Commission meeting, Tatyana Samoilenko, a lawyer for the administration chief of the Karasai district, said that she "did not care what decision the Commission reached" as the local administration "will not back down from the decision it has taken."

As protests against the moves against the commune continue around the world, Kazakh officials have warned local devotees about "unbalanced information" being sent abroad about events at the commune. No such warnings have been issued against local television stations working with the authorities to encourage intolerance against religious minorities (see F18News 2 June 2006 http://www.forum18.org/Archive.php?article_id=793).

However, Hare Krishna devotees also point out that their other dozen registered communities in Kazakhstan – all of them much smaller than the commune - have faced no harassment.

Baptists from the Council of Churches – who maintain a policy of not registering their communities in any of the former Soviet republics where they operate – have long faced police raids on worship services in Kazakhstan and fines for holding services without such registration. Local courts across the country have issued orders "banning" the activity of such congregations, bans the Baptists ignore (often to their cost).

In the latest such harassment, police officers in the town of Shymkent raided the Sunday morning service of the town's Council of Churches congregation on 30 July. "While talking to the brothers Adam Dengof and Fauzi Gubaidullin, who are responsible for the service, the authorities were interested above all in the issue of the church's registration," church members told Forum 18 from Shymkent on 28 August. "They demanded that they write a statement, but the brothers refused to do this, pointing out that they had committed no crime." The police instructed Dengof and Yelena Sabirova, the owner of the house where the church meets, to report the following day to the police station.

At the police station, the two church members were questioned by Senior Lieutenant Ruslan Arystanbayev, one of the officers who had raided the service the previous day. In response to pressure to register the congregation, Dengof explained that the country's Constitution guarantees freedom to practice religion. Arystanbayev was unmoved, and issued Dengof with documentation for punishment under Article 375 of the Code of Administrative Offences for refusing to register the community. The case was handed to the Prosecutor's Office for Enbekshin district of Shymkent. This same Office has repeatedly tried to close down the Protestant Elim Seminary in the town, most recently in July (see F18News 14 July 2006 http://www.forum18.org/Archive.php?article_id=812).

Church members told Forum 18 that prosecutor S. Shinaliev summoned Dengof on 18 August and also demanded that the

congregation register, threatening a fine and closure of the church. After Dengof refused he sent the case to court.

The highest of the many fines imposed this year on Baptist leaders was of 103,000 Tenge (5,261 Norwegian Kroner, 673 Euros, or 852 US dollars), handed down to Pastor Yaroslav Senyushkevich in Astana in May (see F18News 9 June 2006 http://www.forum18.org/Archive.php?article_id=797).

Many of the problems individual religious communities face – as with the Hare Krishna commune near Almaty and a Protestant church in Kulsary near Atyrau in western Kazakhstan, at least one of whose leaders has been fined after the church was refused registration five times in the past five years (see F18News 1 June 2006 http://www.forum18.org/Archive.php?article_id=792) – stem from hostile attitudes by local officials, one of whom claimed to Forum 18 that "international agreements mean nothing to us" (see F18News 2 June 2006 http://www.forum18.org/Archive.php?article_id=793).

Local officials often also vilify members of minority faiths. However, many of these problems stem from nationally-instituted instructions and laws and the central Kazakh government has done nothing to stamp out such intolerance. (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

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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