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KAZAKHSTAN: "Oasis of religious accord" hands heavy fines to Jehovah's Witnesses

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

Addressing the OSCE conference on combating discrimination today (7 June) in the Romanian capital Bucharest, Kazakhstan's senior religious affairs official Yeraly Tugzhanov boasted that his country is an "oasis of stability and religious accord". He claimed that there are "no grounds" for discrimination on the basis of religion. He spoke three days after six Jehovah's Witnesses in the Caspian Sea port of Atyrau were given heavy fines for meeting for worship without registration. Two of the six are pensioners, with only a low income. "To pay the fines they'll have to eat nothing for eight months," the community's leader Aleksandr Rozinov, who was himself among those fined, told Forum 18 News Service. "They don't have the right to meet for worship without registration," Atyrau's religious affairs official told Forum 18. The Atyrau Jehovah's Witnesses' four registration applications since 2001 have got nowhere. Tugzhanov himself declined to discuss the latest fines - or the 5 June order to demolish a Hare Krishna temple - with Forum 18.

On 4 June, six Jehovah's Witnesses in the Caspian Sea port of Atyrau were given huge fines to punish them for their community's unregistered religious activity. "Two of those fined are pensioners," the community's leader Aleksandr Rozinov, who was himself among those fined, told Forum 18 News Service from Atyrau on 7 June. "To pay the fines they'll have to eat nothing for eight months." He said all six will appeal. Asked by Forum 18 what the Jehovah's Witnesses had done wrong to be fined so heavily, Atyrau Region's religious affairs official Saginbai Turgarin responded: "I don't know. But we're not persecuting them. We're working within the law."

Turgarin stressed that it was not his office which had raided the Jehovah's Witnesses or taken them to court. "It was not we who created the unpleasantness for them. But they're meeting without registration. They don't have the right to meet for worship without registration." When Forum 18 asked why their four registration applications since 2001 have got nowhere, Turgarin had no explanation.

The timing of the fines on the Jehovah's Witnesses is embarrassing for the authorities. Yeraly Tugzhanov, the head of the Justice Ministry's Religious Affairs Committee, and Bolat Baikadamov, the Human Rights Ombudsperson, are among Kazakhstan's delegation to an OSCE conference on combating discrimination which began today (7 June) in the Romanian capital Bucharest.

Forum 18 reached Tugzhanov in Istanbul on 6 June while he was on his way to the conference. However, he declined to answer Forum 18's questions about the fines on the Jehovah's Witnesses or about a 5 June order to demolish the Hare Krishna temple and other property at their commune near Kazakhstan's commercial capital Almaty (see F18News 6 June 2007 http://www.forum18.org/Archive.php?article_id=970).

Yet in his address to the OSCE conference today, Tugzhanov claimed that his country is an "oasis of stability and religious accord". He added that in Kazakhstan "there are no grounds for manifestations of xenophobia, discrimination on the basis of religious affiliation and anti-Semitism".

Tugzhanov boasted of how "liberal" his country's Religion Law is, despite the fact that – in defiance of Kazakhstan's commitments as an OSCE participating State – it bans unregistered religious activity and punishes those – like the six Atyrau Jehovah's Witnesses – who take part in it. He said that work is already underway to amend the Law yet again, though it remains unclear if new amendments being proposed will make it even harsher.

Every time the Religion Law has been amended since its first adoption in 1992 it has become more restrictive. Indications suggest that the latest planned amendments will restrict religious freedom even more (see F18News 21 February 2007 http://www.forum18.org/Archive.php?article_id=916).

Official intolerance of religious minorities is increasing. Government documents have attacked Protestants, Jehovah's Witnesses, Hare Krishna devotees and Ahmadi Muslims, sentiments often echoed by officials and commentators in the state-owned media (see F18News 3 April 2007 http://www.forum18.org/Archive.php?article_id=939).

The trial in Atyrau of the six Jehovah's Witnesses followed a Prosecutor's Office raid on a meeting in a private flat in the town on 6 May (see F18News 24 May 2007 http://www.forum18.org/Archive.php?article_id=962). Officials filmed those present without their permission. They also seized copies in Kazakh and Russian of the Jehovah's Witness magazine "Watchtower" that those present were studying. "What they're going to find in them I don't know," Rozinov told Forum 18. "There's nothing in them against the state."

The trials of the six began on 29 May at Atyrau town Specialised Administrative Court. At second hearings on 4 June, Judge Rinat Aldamzharov found all six guilty under Article 374-1 of the Code of Administrative Offences, which punishes unregistered religious activity.

Rozinov, who was not present at the 6 May meeting raided by Prosecutor's Office officials, was found guilty of violating Part 1 of the article, which punishes those who lead unregistered religious organisations with a fine of 100 times the minimum monthly wage. He was fined 109,200 Tenge (5,410 Norwegian Kroner, 670 Euros or 902 US Dollars).

The five others were fined under Part 2 of Article 374-1, which punishes participation in the activity of an unregistered religious organisation with a fine of 50 times the minimum monthly wage. All five were each fined 54,600 Tenge (2,705 Norwegian Kroner, 335 Euros or 451 US Dollars). The six were given ten days to appeal to the Atyrau Regional Court.

Rozinov, the Atyrau Jehovah's Witness leader, told Forum 18 that 50,000 Tenge per month is considered a good wage in Atyrau, with pensioners having to survive on 10,000 Tenge a month or less.

He said the six were not surprised by the fines, but would contest them. He insisted the six were innocent of any crimes and pointed out that when courts had sentenced them in Atyrau in earlier years, the higher courts had always overturned the fines. He pledged that "of course" the Jehovah's Witnesses will continue their religious activity in Atyrau, regardless of how the appeals go. "It's God's command," he told Forum 18. "No-one has the right to deprive us of that. Even in the Soviet period our work continued."

While the Jehovah's Witnesses were heavily persecuted by the Soviet authorities, Rozinov believes the situation has changed to some extent. "It is not quite as it was in Soviet times, but the mentality of officials is still the same."

Rozinov said that he and his colleagues have not yet decided whether to pay the fines if they are upheld on appeal. "This is a decision each one has to take individually," he explained.

Council of Churches Baptists, who continue to worship in a network of unregistered congregations across Kazakhstan, consistently refuse to pay the often heavy fines imposed on them. They argue that Kazakhstan's Constitution and international human rights commitments do not require registration before religious believers can meet for worship. In response, the authorities have seized cars, washing machines and even pigs to cover non-payment of fines (see F18News 11 May 2007 http://www.forum18.org/Archive.php?article_id=954).

Forum 18 was unable to reach Diyaz Sultanov, a Prosecutor's Office official who led the 6 May raid on the Atyrau Jehovah's Witnesses. When Forum 18 called, his colleague said he was out and would be back in half an hour. On calling back, Forum 18 was told he was on holiday for a month.

Jehovah's Witness lawyer Yuri Toporov, who defended the six in court, says Atyrau Region is the only place in Kazakhstan where their communities cannot gain legal status. "We now have 67 registered communities across the country," he told Forum 18 on 7 June. "Atyrau is the last place where they won't register us." He believes the trials and fines were deliberately staged as an excuse to drag out consideration of the community's fourth registration application.

Forum 18 has been unable to find out why the Jehovah's Witness application for legal status has been repeatedly stalled. The telephones of Nurulbeg Utesinov, head of the Justice Ministry's department for the registration of legal entities in Atyrau Region, and other officials of his department went unanswered on 7 June.

However, religious affairs official Turgarin admitted to Forum 18 that the Jehovah's Witnesses' latest application, lodged on 6 March of this year, had been sent on 16 March for an "expert assessment" to the Religious Affairs Committee in the capital Astana. However, he was unable to explain why this was necessary. He said that since his department was established in February 2006, all religious communities applying for legal status required an expert analysis of their application. However, he rejected suggestions that the registration process is "bureaucratic".

According to Articles 11 and 12 of the government decree of 30 January 2007 setting out the procedure for such "religious expert analyses", the analysis should be completed within 30 calendar days or, if supplementary material is needed, in at most 60 days. Turgarin was unable to explain why, two and a half months later, the analysis has not been completed.

Raikhan Aitenova, the Atyrau justice department official who informed the Jehovah's Witness community back in March that their

application had been sent for expert analysis, was also unable to explain to Forum 18 on 7 June why the analysis was necessary and why it was not completed within the prescribed period.

Toporov, the Jehovah's Witness lawyer, is frustrated by the latest expert analysis. "They've done four of these in Atyrau before. They checked up on us and found nothing. Why do they need to do it a fifth time?" He said the Justice Ministry in Astana had told him on 5 June that the analysis would not be completed for a further week.

But Toporov believes the main obstruction is among officials in Atyrau. "It's their long-running policy to obstruct our work." Other religious minorities – especially Protestant congregations – have told Forum 18 that Atyrau is a very difficult region for non-Muslim communities to work in.

Rozinov, the Atyrau Jehovah's Witness leader, insists that his community merely wishes to practice its faith peacefully. "We don't want conflict with officials - we're peaceful people. We want civilised relations with them. We want to preach the Kingdom of God." He said the community would like to build its own place of worship, a Kingdom Hall, in Atyrau. "But without legal status we can't do it." (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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